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THE  
ANNALS OF CHEPSTOW CASTLE.

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Six Centuries of the Lords of Striguil,  
FROM THE CONQUEST TO THE REVOLUTION,

By JOHN FITCHETT MARSH,

*Of Hardwick House near Chepstow, Esq., deceased,*

TO BE EDITED BY

SIR JOHN MACLEAN, F.S.A., &c.

---

The late Mr. Marsh was well known as a zealous, painstaking, and accurate Archæologist, especially in the counties of Lancaster and Cheshire, to the Historic Society of which counties he was a frequent contributor.

The MS. of the abovementioned work, which upon Mr. Marsh's death devolved upon his Executors, is the result of great labour and research, and contains a complete history of the Castle from the time of its erection; tracing its custody through the families of Fitz Osborne; Marshall; Bigod; Plantagenet (de Brotherton); Manny and Hastings; Mowbray; Herbert and Tudor; to that of Somerset, by whom it is now held. It gives, in considerable detail, the personal and political history of the several Lords, their marriages and issue; which is accompanied by tabular pedigrees shewing the descent of the Lordship and Castle through the several families.

The following item relating to Richard Marshall Earl of Pembroke, extracted from the Table of Contents, will shew the important and interesting character of the work:—

“Richard Marshall succeeds,—Angry reception by the king, who refuses his homage,—He obtains possession of his Irish Estates and Pembroke

Gough's Addl. Monmouth 46.3.

Castle,—Prepares to assert his rights,—Is admitted to homage,—Peter des Roches supplants Herbert de Burgh in power,—Richard Marshall and others in alliance with Hubert de Burgh,—Become sureties for his custody in Devizes Castle,—Robert of Gloucester's metrical account of Hubert's transfer to Striguil,—Narrative of events leading to the above position of affairs,—Opposition of Richard Marshall and the Nobles to the Poictevin favorites,—The Marshall deserted by his Allies,—On non-appearance to the King's summons his estates forfeited,—One of his Castles (possibly Striguil) besieged,—Surrendered to save the King's honour on terms of restoration and redress,—The King violates his engagements and the Marshall retakes his Castle,—Affairs of Hubert de Burgh,—Escapes to Sanctuary from Devizes Castle,—Taken thence by a force sent by Richard Marshall and brought to Striguil,—Description of its situation a further argument identifying it with Chepstow,—Progress of the war between the King and the Marshall,—Extensive tract of country laid waste,—His encounter with Baldwin de Gysnes,—The King retires from Gloucester,—Treacherous scheme of Peter des Roches,—Richard Marshall enticed to Ireland,—Treachery of Geoffry de Marisco,—Desperate fight and death of the Marshall, and his burial,—Marriages but no issue,—His character."

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# **Annals of Chepstow Castle.**



ANNALS  
OF  
**Chepstow Castle**  
OR  
SIX CENTURIES OF THE LORDS OF STRIGUIL  
FROM THE  
CONQUEST TO THE REVOLUTION

BY JOHN FITCHETT MARSH  
*Deceased*



EDITED BY SIR JOHN MACLEAN, F.S.A., ETC.

---

PRIVATELY PRINTED BY WILLIAM POLLARD, EXETER  
1883





TO  
HIS GRACE  
**Henry, Duke of Beaufort**  
KNIGHT OF THE MOST NOBLE ORDER OF THE GARTER  
LORD LIEUTENANT OF THE COUNTY OF MONMOUTH  
AND ONE OF  
THE QUEEN'S MOST HONOURABLE PRIVY COUNCIL  
THESE  
**Annals of Chepstow Castle**  
OR  
SIX CENTURIES OF THE LORDS OF STRIGUIL  
ARE  
BY HIS GRACE'S PERMISSION  
MOST RESPECTFULLY  
DEDICATED.



## PREFACE

MR. JOHN FITCHETT MARSH, the author of this volume, was born at Wigan, in Lancashire, in 1818, and was educated at the Grammar School at Warrington, of which town he afterwards became a distinguished solicitor, and, eventually, Town-clerk. Untiring in the discharge of his professional and official duties, his mental energy and activity of character enabled him to find time, from an early age, for literary and scientific pursuits, in which he was aided by the possession of a large and choice library, partly inherited from his uncle, Mr. John Fitchett. He was a student of great industry, research and accuracy; an active and generous supporter of the local educational institutions at which he frequently lectured on literary and antiquarian subjects. He was also an occasional contributor of papers to the Historic Society of Lancashire and Cheshire, among which may be mentioned an interesting monograph on the Engraved Portraits and Pretended Portraits of Milton, and to other kindred societies and publications. On his retirement from his profession at Warrington, in 1873, he settled at Hardwick, a small estate which he purchased near Chepstow. There he employed a portion of his leisure in collecting materials for a History of the Castles of Monmouthshire. He had scarcely, however, completed that of the first, the Annals of Chepstow Castle, when his studies were prematurely brought to a close by a fatal illness in the summer of 1880.

THE Annals of Chepstow is not a mere local history. The whole series of the Lords of Striguil were among the foremost men of the ages in which they respectively lived, and took their parts in the most stirring and important events of their times. The author has very carefully studied the old chronicles and all the other valuable historical works relating to his subject, and has brought to bear upon them a

## P R E F A C E

great amount of legal acumen in the examination of evidence, and critical skill. By these means, he has cleared up many controverted questions and corrected many errors and fallacies found in the works of the most accredited authors.

It is much to be regretted that Mr. Marsh's life was not spared to carry out his full design; and his executors have done well in giving to the public this record of six centuries of the Lords of Striguil, it being a work of great interest, as well as a lasting memorial of the scholarly taste and ability of the Author.

J. M.

## INTRODUCTION.

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WHATEVER doubt was at one time thrown on the identity of Chepstow Castle with that mentioned in Domesday as Eſtrighoiel, and in later documents as Strigul, Striguil, &c., has been finally ſet at reſt by the reſearches of Mr. Ormerod, who, in various intereſting memoirs, principally communicated in the firſt inſtance to the Society of Antiquaries and the Archæological Inſtitute, but collected in a privately printed volume entitled "Strigulenia," has brought to bear on the point an irrefiſtible array of evidence, relating as well to the caſtle itſelf as to the "river, port, vill, priory, bridge, and boundary of known extenſive manors," ſhewing that the original miſtake—the aſcription of the name of Strigul by Camden and writers who have followed him to a petty caſtellet or fortified houſe on the northern border of Wentwood, erected about the commencement of the fourteenth century—has ariſen from a corruption of the name of Caſ Troggy or Stroggy, which the latter probably derived from the brook Troggy there taking its riſe. It is to be obſerved that this often reiterated miſtake has been confined to the topographers, the petty caſtellet referred to having always been ſpoken of by the inhabitants of its immediate neighbourhood by the name of Caſ Troggy; and it is much to be regretted that the alternative name of Striguil Caſtle, given on the Ordnance map, will perpetuate the error, though the theory which has been baſed upon it can never again be maintained.

FOR the name of Eſtrighoiel various derivations have been propoſed. To ſay nothing of the ſuggeſtion of Sir Robert Atkyns, who places it in the city of Glouceſter; and after miſreading the name as "Eſtōrighoiel," converts it into "Eaſt Bridge Hoiel" (whatever that may mean), which his copyiſts, perhaps in correction of a miſprint, have further altered to "Eaſt Bridge Hotel," there have been numerous conjectures baſed on ſimilarity of ſound, the rock on which ſo many etymologiſts have made ſhipwreck. One correſpondent of Notes and Queries (4th ſeries, vii., 377) propoſes "Eſtrig-hoewal"—the rapid eddy or whirling tide; and another, "Ys-dwr-gowel"—the tranſparent

parent or clear stream ; the appropriateness of which, and its illustration of the significance of Welsh names can scarcely be appreciated without a visit to the banks of the Wye. Mr. Planché (*Brit. Arch. Assoc. Jour.*, x., 249, 267) went to the Saxon, of all languages, for a derivation, and proposed "Eft-rik-howel"—the East kingdom of Howel ; but withdrew his suggestion in favour of the view advanced by Mr. Wakeman, but long previously broached by Roger Gale, as pointed out by Mr. Ormerod, that it was derived from "Strata Julia," or its Welsh equivalent, "Ystrad-Iwl." Mr. Ormerod, however, has shewn the fallacy of this, and suggests that the name of Estringhoiel, Strighil, or Strigul, given to the Norman fortrefs on the bank of the Wye was an adoption of the name of "Ys-traigyl," belonging to the neighbouring earthwork which it superseded for purposes of defence, a Romano-British encampment on Hardwick Cliffs, figured in Coxe's *Monmouthshire*, p. 376, and still known and described in modern title deeds (*penes meipsum*) by the name of "The Bulwark," and where, if at all in this neighbourhood, Mr. Wakeman in his paper above alluded to considers a British town to have existed. A more whimsical corruption of the name Ys-traigyl has arisen in its application to the little island with its lonely oratory at the mouth of the Wye, popularly known as "Saint Treacle Chapel," and so named in Saxton's map published in the early editions of Camden's *Britannia*—called by William of Worcester, "Rok Seynt Tryacle" and "Capella sancti Teriaci Anachoritæ"—and in *Valor Ecclesiasticus* of Henry VIII., "Capella sancti Triaci"—and in modern maps and guide books placed under the patronage of Saint Tecla or Thecla, a virgin martyr of Iconium of the first century, better known to the Greek than to the Latin church. For the origin and import of the name "Ys-traigyl" we must refer to Mr. Ormerod's papers (*Strig.*, pp. 65, 74), not venturing, in the absence of all knowledge of the Welsh language, to meddle with the discussion. The correctness, or otherwise, of his etymology does not affect the application of the name to the Hardwick encampment, or the fact which he adduces that Ystreigyl is referred to by Cynzelw, a bard of the twelfth century, as one of the extreme limits to which his hero Owain Gwynedd had extended his sovereignty.

THE fact that in early ages the castle bore the name of Strigul in one or other of its endless varieties of forms, while the town acquired the name of Chepstow, need create no difficulty. On the principle enunciated by Wamba, the son of Witlefs, that ox and calf, sheep and swine were Saxon while under the charge of the serfs whose business it was to tend them, but took the Norman names

names of beef and veal, mutton and pork in the worshipful mouths which existed only to consume them, it is not surprizing that while the Norman nobles, who regarded Celt and Saxon with supreme indifference, spoke of their feudal castle by a modification of the name which they had adopted but never learned to spell, their Saxon dependents gave the name of "Chepe-stowe" to the trading station, which the name implies, carried on under the protection of its walls. If similar difficulty has been encountered in determining the orthography to be adopted in this memoir for the name which, except in quotations, I propose, for reasons to be presently shewn, to spell uniformly "Striguil," it has not been for want of choice; for the following variations are actually found in ancient records and chronicles, and in modern works of more or less importance, from which, for the sake of brevity, a single authority is here selected for each mode of spelling:—

1. Efrighill. Camden, p. 633, ed. 1610.
2. Efrighoel. Domesday Book.
3. Efrigil. Camden, p. 488, ed. 1607; quoted in Orm. Strig., 66.
4. Efrigol. Maddox's Exchequer, 20; quoted by Coxe.
5. Efrogil. Documents referred to in Morgan and Wakeman on Wentwood, p. 39.
6. Storgoil. Robert of Gloucester, 524.
7. Storguyl. Taxatio Ecclesiastica, 1291; quoted in Orm. Strig., 69.
8. Stragnl. Scobell's Acts and Ordinances, 16th July, 1651.
9. Strigeil. Rot. 8 Sufs. Mich., 6 Ric. I.; quoted in Edmondson's Heraldry, i., 37.
10. Strigeyll. Hardyng's Chronicle, p. 261, ed. 1812.
11. Strighal. Tanner's Notitia Monastica, p. 330.
12. Strighil. Ralph de Diceto, Twysden's Scrip., 590; Coxe's Monmouthshire, p. 366.
13. Strighoel. Record referred to by Mr. Wakeman, Brit. Arch. Afs. Jour., x., 249.
14. Strighul. Camden, p. 633, ed. 1610.
15. Strighull. Weever's Funeral Monuments, 442, 443.
16. Strigiell. Orm. Strig., 71, quoting Chron. Joh. Brompton.
17. Strigil. Daniel and Truffel's History of England, p. 96, ed. 1685.
18. Strigill. Caradoc of Llancarvan, p. 151, ed. 1774.
19. Strigoielg. Domesday Book, several places.
20. Strigoil. Roger de Hoveden, Savile's Scrip., 450 v.

21. Strigoill. Dug. Bar., ii., 63, 64, 150.
22. Strigoll. Rot. Lit. Claus., 11 Henry III.
23. Strigoul. Writ 11 Edward I., quoted in Clive's Ludlow Documents, p. 139.
24. Strigoyll. Writ 25 Henry III., quoted in Orm. Strig., 71 n.
25. Striguile. Holinshed's Chronicle, ii., 190, ed. 1807.
26. Striguill. Holinshed's Chronicle, ii., 204, 273, ed. 1807.
27. Striguille. Id., ii., 276.
28. Strigul. Annales Waverleienes, 2 Gale's Scrip., 160.
29. Strigule. Tanner's Notitia Monastica, p. 330.
30. Strigull. Rot. Lit. Claus., 4 Henry III.
31. Strigvill. Calendar of Lansdowne MSS., p. 195.
32. Striogul. Coxe's Monmouthshire, 366.
33. Striogull. Survey of Wentworth (St. Pierre copy), printed in Williams' Mon., 187.
34. Strogil. Tanner, quoting Leland's Itin., as to founder of Tintern Abbey.
35. Stroghoel. Records referred to by Mr. Wakeman, Brit. Arch. Afs. Jour., x., 249.
36. Strog hul. Camden, Annales of Ireland, p. 155, ed. 1610.
37. Strogil. Leland, quoted in Orm. Strig., 66.
38. Strogill. Statute de prerogativa regis, 17 Edward II., c. 13 ; Ruffhead's Statutes.
39. Strog le. Saxton's Map, erroneously assigning the name to Cas Troggy.
40. Strogoel. Documents quoted by Mr. Wakeman, Brit. Arch. Afs. Jour., x., 249.
41. Strogoil. Trivet's Annals, Eng. Hift. Soc. ed., p. 66.
42. Strogoile. Coronation claim of Margaret de Brotherton, 1 Ric. II.
43. Strogoill. Cal. Pat., 12 Edward III.
44. Strogoule. The above writ 11 Edward I., as quoted in Orm. Strig., 68.
45. Strogoyl. Trivet's Annals, ed. Eng. Hift. Soc., 66 n.
46. Stroguil. Tanner's Notitia Monastica, p. 330.
47. Strogul. Survey of Wentwood, as printed in Mr. Morgan's paper, p. 40.
48. Strogull. Id., from Lord Tredegar's copy.
49. Strogvell. Inquis. 10 Ric. II.
50. Strugeill. Record 1 Edward II., Orm. Strig., 67.
51. Strughulle. Tintern Chronicle, Dug. Mon., v., 270.
52. Struggle. Scobell's Acts and Ordinances, 16 July, 1651.
53. Strugle. Camden, p. 633, ed. 1610.



54. Strugoil. Chron. Joh. Brompton, Twyſden's Scrip., 1158.
55. Strugoill. Id., p. 1155.
56. Strugoyl. Chron. of Thomas Wikes, Gale's Scrip., ii., 42.
57. Struguill. Chron. Joh. Brompton, Twys. Scrip., 1194.
58. Struguille. Holinshed's Chron., ii., 138, ed. 1807.
59. Strugul. Records referred to by Mr. Wakeman, Brit. Arch. Afs. Jour., x., 249.
60. Strugull. Richard Strongbow's charter to Uſk Priory, Id., p. 261.
61. Strugulle. Court roll of Manor of Waldings, 1614, Orm. Strig., 68.
62. Strugvil. Annales de Margan, Gale's Scrip., ii., 8.
63. Strugwle. Ancient MS. printed in Arch. Cam., 1862, quoted in Morgan on Wentwood, p. 24.
64. Stryghall. Camden's Tract, 2 Hearne's Discourses, 328.
65. Strygil. Caradoc of Llancarvan, p. 157, ed. 1774.
66. Strygill. Id., p. 135.
67. Strygule. Id., p. 199.
68. Sturggyl. Taxatio Ecclesiastica, 1291, as quoted in Dug. Mon., v., 265.
69. Sturgoil. Id., as quoted in Orm. Strig., 69.
70. Sturgoyl. Hen. Salgrave, quoted in note to Tanner's Not. Mon., p. 330.
71. Sturguil. Cal. Inq. p.m., John Hastings, 49 Edward III., No. 70.

AMONG all these varieties, Striguil has been selected for normal use. Strigule would, perhaps, represent in modern English the nearest equivalent for the Latin Strigulia; and Strigul is recommended by the example of Mr. Ormerod, Mr. Wakeman and Mr. Planché; but Striguil, beside having at least its full share of ancient authorities, is the form which has come down to modern times in connection with the court-baron, and is that in which the title of the ancient earls is discussed in the Report of the Lords' Committee on the Dignity of a Peer.

Its alternative Welsh name of Cas Gwent (=the Fortrefs of Gwent), which it acquired in ſucceſſion to its neighbour Caerwent, Venta Silurum of Roman Britain, need not detain us, except to explain, for the benefit of readers, if any, who are quite unacquainted with the diſtrict, that Gwent, which in the ages ſucceeding the Roman occupation ſometimes formed a ſeparate principality and ſometimes part of the kingdom of Morganoc or Glamorgan, was nearly, but not quite, conterminous with the modern county of Monmouth. That portion  
which

which lies west of the Uſk formed a cantred, called Wentloog (the g being dropped in composition), ſtill retained as the name of one of the hundreds of Monmouthſhire ; while that between Uſk and Wye was divided by the wooded range of Wentwood into two cantreds, of which the northern one was called Gwent Uchgoed (Gwent above the Wood) or Upperwent ; and the ſouthern one, with which we are more immediately concerned, Gwent Iſcoed (Gwent under the Wood) or Netherwent.

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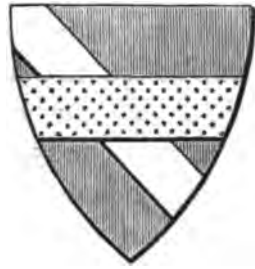
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## CHAPTER I.

### FAMILY OF FITZ-OSBERN.



**T**HE castle of Striguil then, or Estrighoiel as it is called in Domesday Book, was built, as is expressly stated in that venerable record, by Earl William. The powerful nobleman so designated was William Fitz Osbern, in England Earl of Hereford and of the Isle of Wight, and in Normandy Count of Breteuil, Pasçie, and Ivry. He was doubly related to the Conqueror in the degree, to speak precisely, of second cousin once removed: for his father, Osbern de Crespon, was the son of Herfast, the brother of the Conqueror's great-grandmother, Gunnor,<sup>1</sup> wife of Richard the first, Duke of Normandy, surnamed Sans-Peur (Herfast and she being children of a knight whose name has not come down to posterity, but who was one of the Northmen who accompanied Rollo) while the mother of Fitz-Osbern was the daughter of Rodolph, Count of Ivry, who was uterine brother of the same Richard, both being children of Sprote, daughter of Herbert, Count of Senlis, the former by her husband Asperling, and the latter by William Longue-épée, the son and successor of Rollo.<sup>2</sup> These relations, complicated  
as

<sup>1</sup> It is quite unnecessary, even in Latin, to turn her name into Gunnora. Dudonde St. Quentin forms the Latin genitive in Gunnoria.

<sup>2</sup> As the Duke had a lawful wife, Leutgards, who is said to have survived him, his connection with Sprote is believed to have been an illicit one, and is so indicated in our pedigree; but their son, Richard Sans-Peur, ascended the ducal throne without question. [They are said by Lappenberg to have been espoused in the Danish manner. "History of the Norman Kings."—Ed.]

as they read in the form of a narrative, will appear very clearly in our Pedigree No. I. Reckoning by number of descents, Fitz-Osbern was therefore a generation older than the Conqueror ; but there was probably no great disparity in their ages, though the former was no doubt the senior. His father, Osbern de Crefpon, the hereditary seneschal of Normandy, was one of the victims of the state of anarchy which arose in the Duchy on the death of Duke Robert in 1035, and was a few months afterwards murdered in his bed by William de Montgomery, in the very presence of the young Duke, then about eight years old, and sleeping in the same chamber, if not the same bed (*cubiculo*<sup>1</sup>), with his seneschal. Fitz-Osbern founded the Abbey of Lire in 1046; and supposing this to have been his first act on coming to man's estate, as it is likely enough to have been if done for the sake of the soul of his murdered father, he must have been born at least as early as 1025. He inherited from his father the office of seneschal, which brought him near to the person of the Duke, of whom he may be said to have been the right hand as well in council as in war. Of his connection with William we first read at the siege of Domfront, in or about 1054, when the Duke sent him, with Roger de Montgomery, his future colleague in the marshaling of England, and probably nephew of the murderer of Osbern de Crefpon (but the pedigree is a little uncertain), to convey a message of personal defiance to Geoffrey Martel, Count of Anjou, who was making efforts to raise the siege. Four years later William built the castle of Breteuil, in order to hold in check that of Tillières, which had been wrested from him by the French king, and gave the custody of it to William Fitz-Osbern. The site of it may probably have been already part of his ancestral estate, for it lies between Pafcie and Ivry, on the east, and Lire, where he had already founded a monastery, on the west. In the following year, Ambrières being threatened by Geoffrey Martel, the Duke sent Fitz-Osbern in all haste to defend it, which he did successfully. Of his foundation of the Abbey of Corneilles we shall have to make repeated mention hereafter.

Of his influence among the Norman nobles a remarkable instance is related in the metrical chronicle of Master Wace, which I quote from the spirited prose translation of my friend, the late Mr. Edgar Taylor. After relating how Duke William, while hunting in his park at Rouen, received from a messenger the news of King Edward's death and the accession of Harold, he  
proceeds

<sup>1</sup> Cubiculo.—In Classical Latin *cubiculum* is the bedchamber and *cubile* the bed, but in Mediæval Latin the same distinction does not seem to have been observed.

proceeds:—"When the Duke had listened to him, and learnt all the truth, how that Edward was dead and Harold was made King, he became as a man enraged, and left the craft of the woods. Oft he tied his mantle, and oft he untied it again, and spoke to no man, neither dared any man speak to him. Then he crossed the Seine in his boat, and came to his hall, and entered therein, and sat down at the end of a bench, shifting his place from time to time, covering his face with his mantle, and resting his head against a pillar. Thus he remained long in deep thought, for no one dared speak to him, but many asked aside, 'What ails the Duke? Why makes he such bad cheer?' Then behold in came his seneschal, who rode from the park on horseback, and he passed close by the Duke, humming a tune as he went along the hall; and many came round him asking how it came to pass that the Duke was in such plight. And he said to them, 'Ye will hear news, but press not for it out of season; news will always spread some time or another, and he who gets it not fresh has it old.' Then the Duke raised himself up, and the seneschal said to him, 'Sire, Sire, why do you conceal the news you have heard? If men hear it not at one time, they will at another. Concealment will do you no good, nor will the telling of it do harm. What you keep so close is by this time known all over the city; for men go through the street telling, and all know, both great and small, that King Edward is dead, and that Harold has become King in his stead, and possesses the realm.' 'That indeed is the cause of my sorrow,' said the Duke, 'but I know no help for it. I sorrow for Edward and for his death, and for the wrong that Harold has done me. He has wronged me in taking the kingdom that was granted and promised to me, as he himself had sworn.' To these words Fitz-Osber, the bold of heart, replied, 'Sire, do not vex yourself, but bestir yourself for your redress, that you may be revenged on Harold, who hath been so disloyal to you. If your courage fail not, the land shall not abide with him. Call together all that you can call. Cross the sea, and take the kingdom from him. A bold man should begin nothing unless he pursue it to the end. What he begins he should carry through or abandon it without more ado.'" William, thus encouraged, took counsel with several of his principal nobles, including "Fitz-Osber of Breteuil, William by name, the proud of spirit," who advised him to open the matter to his barons, that all might be taken into counsel who had to share the labour. "So the barons were all summoned, and being assembled at a set day, the Duke shewed to them that Harold had cheated him, and had stolen the realm, whereof Edward had made him heir—that he wished

wished to avenge himself if he could—but that great aid was wanted, and that he could not, without their help, have [as] many men and many ships as he needed. Let each man say what he would do, how many men and ships he would bring. And they said they would speak together about it, and that after holding counsel they would answer him. And he consented thereto. They remained long in counsel, and the debate lasted a great while, for they hesitated long among themselves what they should say, what answer they should give, and what aid they would afford. They complained much to each other, saying that they had often been aggrieved; and they murmured much, conferring together in small parties, here five, there fifteen, here forty, there thirty, sixty, a hundred. Some said they were willing to bring ships, and cross the sea with the Duke. Others said they would not go, for they owed much and were poor. Some would, others would not, and there was a great contention amongst them. Then Fitz-Osber came forward and said, 'Why do you go on wrangling with your natural lord, who seeks to gain honour? You ought never to be wanting. You owe him service for your fiefs, and what you owe him you ought to render with all your might. Wait not for him to beseech you. Ask him for no respite; but go forward at once and offer him even more than you can perform. Let him not have cause to complain, nor miss his undertaking on your account. If he fail, he will perchance soon say (for he is of a jealous temper) that you are the cause of his loss. Take care that he has not to say that his expedition failed through you.' 'Sire,' said they, 'we fear the sea, and we are not bound to serve beyond it. Speak for us, we pray you, we put the speech upon you. You shall say what you will, and we will do accordingly.' 'Do you put it upon me?' said he. 'Yes,' said each, 'I agree. Let us go to the Duke. Speak for us for you know our minds.' Then Fitz-Osber went at their head, and spoke for them. 'Sire, Sire, look around. There is no people under heaven that so love their lord, or will do so much for his honour as the people you have: and much should you love and protect them. They say that to advance you they would swim through the sea or throw themselves into the raging fire. You may trust them much, for they have served you long, and followed you at great cost, and they will willingly continue to serve you. If they have hitherto done well, they will hereafter do yet better. They will pass with you over sea, and double their service. He who should bring twenty knights will cheerfully bring forty. He who should serve with thirty will now serve you with sixty, and he who owes a hundred will willingly bring two hundred. For myself I will in good love bring to my lord in his need sixty ships well furnished and charged



charged with fighting men.' At these words the barons marvelled and murmured much, grumbling loudly at the great promises he made, for which he had no warranty. Many began to disavow him, and the Count became much troubled. Great noise arose and the barons stormed. They feared that doubling their services would be turned into a charge on their fiefs, that it would grow to a custom, and would thenceforth become permanently due. The assembly was greatly troubled. The noise was great and the clamour loud. No one could hear another speak. No one could either listen to reason or render it for himself. Then the Duke, being greatly disturbed by the noise, drew on one side, and sent for the barons one by one, and spoke with and entreated each, telling them what need he had—how much they stood in his love and grace—and that if they doubled their services and did of their own accord more than they were bound in this undertaking, they would do well, but he pledged himself that they should not be called on in future for service beyond what was the custom of the land, and such as their ancestors were wont to do for their lord. Each said what he would do, and how many ships he could bring: and the Duke had it all recorded at once, numbering the ships and knights which the barons agreed to find."

THE result was the army which fought at Hastings, in which Fitz-Osbern, who had volunteered sixty ships with their armament for the expedition, led the van, and Roger de Montgomery, who had provided a similar number, is said to have led the centre: but the latter fact, and even Montgomery's presence at Hastings, are the subject of conflicting accounts among the chroniclers; and the question is foreign to our subject, except so far as it has any bearing on the undoubted fact that Fitz-Osbern and he were appointed joint marshals of the king's host, or marshals of England, an office among the duties of which were to examine, judge, and determine whether those who owed services by their tenures answered those services by the qualities and numbers of the persons required, then to muster those whom they had judged proper to admit, and to assign them quarters, and if it was an expedition into foreign parts, to billet them into ships for their transportation, and to govern them while they were upon the sea, and upon their landing to direct them into what battalions and companies they should be formed, and during the actual wars to hold court for the determination of all offences, committed against the laws of war, and for the decision of all civil causes arising in the army concerning right of prisoners, and booties taken, and such like.

FITZ-OSBERN

FITZ-OSBERN was created Earl of Hereford and of the Isle of Wight, and Montgomery Earl of Shrewsbury, Chichester and Arundel. Both were enriched with vast possessions in various parts of the kingdom, but we are unable to specify the precise extent of those granted to Fitz-Osbern, in consequence of his death, and the forfeiture incurred by his successor, previous to the compilation of Domesday Book, the source from which all similar information is derived as to the manors and lordships held by the other companions in arms of the Norman adventurer. The earldom of Hereford comprised not the modern county, but so much of Gloucestershire as lies between the Severn and the Wye, thus forming, with the earldoms of Shrewsbury and Chester, a continuous frontier between England and Wales. It also comprised portions of territory on the right bank of the Wye, already conquered by the Saxons from the princes of South Wales, forming the Lordship Marcher, which, from the castle here erected being the *Caput Baroniarum*, acquired the name of the Lordship Marcher of Striguil, the immediate subject of our memoir. These Lordships Marchers seem to have originated in a tacit permission of the sovereign to certain of the great barons to make war on their own account against the princes of Wales, and to hold whatever lands they could conquer as tenants in capite under the English crown, and under the obligation of erecting and maintaining castles for the defence of the realm against their turbulent neighbours, but in all other respects singularly free from the jurisdiction of the king's courts. They had palatinate or more than palatinate jurisdiction. They were in fact petty sovereigns; for they enacted and enforced their own laws—had their seneschals, chancellors, and other high officers, on the model of the royal court—occasionally made war on each other, but more frequently alliances for the purpose of joint expeditions against the Welsh—and not only they, but even the mesne lords or petty barons, whom they created by way of subinfeudation, exercised in some instances *jura regalia*, with power of life and death. In an ancient *Treatise on the Government of Wales* (Lansdowne MSS., No. 216), printed in Clive's "Documents connected with the history of Ludlow and the Lords Marchers," it is stated that "to the end that the said lords should be as well the more willing to these attempts, as able to rule and govern and keep in due obedience the people of the country, being once subdued, the kings of England suffered, and necessity of government forced, those lords to assume and take unto themselves such prerogative and authority within the said lordships as to themselves seemed best, and were fit for the quiet government of any country . . . . . And therefore there is  
no

no record to be found in the Tower, or elsewhere in England, of any grant made to any to be a Lord Marcher in Wales, nor any liberty granted to any of them as they themselves then and long time after used, and the King's writs out of his courts of Westminster did not run into Wales, Pembrokehire excepted, which was counted part of England, and therefore called Little England beyond Wales, neither was there any sheriff or other officer of the King to execute any of the King's writs or precepts in Wales. And yet of necessity law and justice was to be administered for the quiet government of the people, without which no commonwealth nor society might be preserved or governed. Therefore these lords themselves were forced of necessity to execute laws of sovereign governors on their tenants and people in these strange countries and lordships subdued by them, which the Kings of England did for policy permit for a time. And to grant charters of such liberties in these cases could not conveniently be for three causes" . . . And after setting out the difficulties arising from the uncertainty of the area to be conquered, and the indifference of the lords to secure their franchises until they had made some of their conquests, the writer proceeds:—"Another reason, which I have heard of the learned, why the lordships marchers had no charters of such liberties as they used within their feignories, was for that the liberties and royal jurisdiction used by those lords were such and so high of nature, so royal, and so united to the crown, that by the laws of this land it lay not in the power of the King to sever the same from his imperial crown: and therefore it was thought fitter and better course to suffer the lords to assume and take those liberties of their own authority than to sue and obtain a void grant of the same, which, if at any time were called in question, must be adjudged of no force."

Of the source from which the Earl of Hereford derived the laws for his newly acquired territory, and the estimation in which they were held as models of good government, we have evidence, where we should little have expected to find it, in Domesday Book for that part of the present county of Flint surveyed with Cheshire, and published accordingly with that county by the Ordnance Office. Under the head of Roelend (Rhuddlan), held by Robert de Roelent, it is stated that "in this manor of Roelend a castle, also called Roelend, has been newly made. There is a new burgh, and therein are 18 burgesses between the Earl and Robert, as is above said. On these burgesses they have bestowed the laws and customs that are in Hereford and Breteuil, that is to say throughout the year they shall give nothing but 12 pence for any

any forfeiture, save homicide and theft and premeditated heinfare."<sup>1</sup> Not only are the laws and customs introduced by William Fitz-Osbern thus connected with those of one of his Norman possessions, but we have an indication of their origin in a passage in Ordericus Vitalis, who mentions (B. vi, c. 8) the building of the town of Aufay, in Normandy, by Richard de Heugleville, who introduced among his colonists the customs of Cormeilles. Now at Cormeilles was a monastery founded by Fitz-Osbern himself, some years before the Conquest, and further endowed by some of his successors in the lordship of Striguil. In fact the parish church of Chepstow was formerly the church of an alien priory belonging to the Abbey of Cormeilles, a charter to which will be found to throw considerable light on the history of the early lords, when we come to notice it in its proper place.

SOME portion at all events of Fitz-Osbern's newly acquired territory on the right bank of the Wye had already been conquered by the Saxons. How far the conquests of Harold had extended is uncertain; but he built a palace at Portkewet, and various monoliths, passing by the name of Harold's stones, are traditionally reputed to mark the track of his invasion. His power seems to have been of very temporary duration, and several villis mentioned in Domesday Book are stated to have been "waisted by King Caraduech," by whom the palace at Portkewet is related in the Saxon Chronicle to have been burned. With this prince, Caradoc ap Griffith ap Rydderch, Fitz-Osbern entered into an alliance, by means of which he consolidated his power along the whole of the eastern portion of Gwent, and extended it at least as far westward as Raglan: for a charter of Walter Bloet, printed in "Dug. Mon." ii, 989, ed. 1661, confirms a grant by Willielmus filius Osberti to the Abbeys of Lire and Cormeilles of tithes "in villa de Ragthan." In return we find Fitz-Osbern, or his son (for the date is a little uncertain), assisting Caradoc in his warfare with Meredith ap Owen, his neighbour on the banks of the Rhymney, between which and the Uſk we may suppose the former's territory to have lain, with Caerleon as the seat of his power, which Mr. Floyd, in a paper *On the Norman Conquest of South Wales*, printed in the "Archæological Journal," xxviii, 293, considers was probably wrested from him by the Normans in 1081, but was restored and held by him and his descendants, possibly with some intermission, until they were dispossessed, near the end of the twelfth century, by William Earl of Gloucester and Lord of Glamorgan, and even after that reinstated by  
 Royal

<sup>1</sup> "Heinfare"="hinefare," signifies the loss or departure of a servant from his master.—ED.

Royal charter, as we shall have to notice in a future page. Whether the territory so acquired by Fitz-Osbern, of which Raglan formed part, extended so far southwards as to include what afterwards became the lordship of Usk, or whether the latter was held by Caradoc ap Griffith along with his lordship of Caerleon, is a point on which the only information forthcoming is a statement of Mr. Wakeman, in his paper *On the Town, Castle, and Priory of Usk* ("British Archæological Association Journal," x, 258), adducing evidence of Fitz-Osbern's possession of Usk from his having granted lands within the lordship to his Abbey of Lire. What those lands were, or whether he refers to any other than the Raglan charter above noticed, does not appear. As usual he gives no authority, and as we shall have occasion, in a future chapter, to point out some serious mistakes in that paper on points of vital importance, and a good deal turns on his statement, we must be excused for regarding it as open to further enquiry. To our immediate purpose it is immaterial.

In public affairs Fitz-Osbern continued for some time after the Conquest to retain the influence he had previously possessed. He was placed in charge of the royal castle of Winchester, and on the Conqueror's visit to Normandy, in the year following his acquisition of the English crown, was entrusted, along with the King's half brother, Odo Bishop of Bayeux, with the government of the realm as justiciaries. In this position, in which his share of power was in the northern portion of the kingdom, the Earl caused himself to be more respected than beloved. Ordericus Vitalis (B. iv, ch. 14), says he was without exception the first and greatest of the oppressors of the people of England, and amassed an enormous fortune by his exactions, causing the ruin and death of thousands by his severities. A year later he was placed in charge of York Castle, which had just had a narrow escape from a desperate attack of an allied Danish and Saxon force, and we hear of him successfully putting down a revolt in Devonshire.

He did not continue to the end of his career in the full blaze of royal favour; for it seems from Dugdale's "Baronage," i, 109, that having, in exercise of his functions of steward of the household, set before the king a crane insufficiently roasted, the angry monarch asserted the principle of ministerial responsibility by doubling his fist and aiming a violent blow at the Earl, which was warded off by Eudo de Rie. The reader who cannot enter into the feelings of the injured sovereign has perhaps never sat down to a half roasted crane. Think of a burnt woodcock. "It will assist thy fancy well." Fitz-Osbern could

could not brook the insult, and resigned his office of steward in favour of Eudo, who accordingly succeeded him, and is described in Domesday Book as Eudo Dapifer.<sup>1</sup> This little misunderstanding may have been one of the circumstances, combined perhaps with some jealousy of the Earl's power and the desire of lessening his opportunities for increasing his influence at home, which led to his being sent to Normandy to assist Queen Matilda in the defence of the duchy. At this period the King of France, having brought a military force in aid of Arnold Count of Flanders, to resist an invasion of his brother Robert the Frisian (so named as a term of reproach in consequence of his having entered into alliance with his father's enemy, Florence Duke of Frisia), called upon Fitz-Osbern, as Governor of Normandy, to attend him. Either from under-estimating the magnitude of the operations, from grudging the service demanded of him, or from ill humour at his position generally, it is stated by Ordericus Vitalis (B. iv, c. 9) that he joined the King with only ten men at arms, and rode with him to Flanders as if he was only going to a tournament. The French King's army was surprised and totally defeated on the 20th February, 1071, at Bavenhoven, or Ravenhoven, near Cassell, and Fitz-Osbern himself was slain. William of Malmesbury (Savile's "Scriptores," p. 59) gives a somewhat different account of the events attending the expedition to Flanders. He says Fitz-Osbern incurred the king's displeasure by his profuse expenditure, and closed a brilliant career through fondness for a woman—alluding to Richelda, the widow of Baldwin Count of Flanders, and mother of Arnold and Robert, of whom in fact Fitz-Osbern was guardian under their father's will. He states that the insurrection in favour of Robert the Frisian was provoked by the tyrannical exactions of Richelda, and that Fitz-Osbern, who had abandoned himself to the love of her, entered Flanders with a military force, and riding from castle to castle with little attendance, from a false sense of security, was surprised and slain by an ambush laid by Robert, who was aware of his rashness. In Ducarel's "Anglo-Norman Antiquities," p. 64, is a pedigree of Queen Matilda, who was a sister of Baldwin; and William Fitz-Osbern is there stated to have become the third husband of Richelda, but no authority is given, and the name of Ducarel does not carry much weight without. Indeed, in this very pedigree he makes Robert le Frison the brother, instead of son of Baldwin.

It is proposed to notice, in the course of our memoir, the armorial  
bearings

<sup>1</sup> Under that title he is named by the author of "Ingoldsby Legends" (3rd ser., p. 244, orig. ed.) in whimsical connection with the name of a modern artist, whose department is not unassociated with the office resigned by Fitz-Osbern.

bearings of the successive families of the lords of Striguil. To discuss the arms *borne* at this early period would be to go back to the fabulous ages of heraldry; but admitting that coats of arms in the modern sense were not then known, or at least in general use,<sup>1</sup> the arms *attributed* by heralds to families of the pre-heraldic period form convenient genealogical symbols, which, as such, are worth preserving. Those attributed to William Fitz-Osbern, Earl of Hereford, are: Gules, a bend Argent and fess Or. The arms of the next family we shall have to mention come within the scope of real heraldry.

FITZ-OSBERN was buried in his own abbey of Corneilles. By his wife, Adeliza, daughter of Roger de Toeni, he had two sons, the eldest of whom, William, succeeded to his father's Norman estates, and the second, Roger, better known as Roger de Breteuil (in Latin De Britolio), succeeded to his English Earldoms and possessions. The case is a curious one in relation to the history of the law of descent of peerages and real estate, and may tend to throw some light on still more puzzling questions, which will hereafter be presented to us in relation to the inheritance of the Clare family. In the *Observations on Dignities* prefixed to Courthope's "Historic Peerage," it is cited as an instance where "the possession of the lands of the Earldom overruled the strictly hereditary nature of the dignity;" but this does not explain how the English lands of Fitz-Osbern came to be vested in his younger son. The devise of real estate was not at this period, or for ages afterwards, an incident of feudal tenure, but Blackstone (Com. B. ii, c. 14), quoting Spelman on "Feuds," observes that there was a period, before their descent by primogeniture was established, when the lord might bestow them on which of the sons he thought proper, and Ordericus Vitalis (B. iv, c. 8, and B. v, c. 13), a trustworthy authority on matters of common repute, though he

<sup>1</sup> The statement in the text is colourless enough to avoid controversy: but an incident, quoted from one of the early chronicles, in Lafrenaye's "Nouvelle histoire de Normandie," p. 228, is worth citing as an illustration of the very early use of distinctive shields, especially as Fitz-Osbern himself happens to be connected with it. We have mentioned his being sent on a message of defiance from Duke William to Geoffrey Martel, Count of Anjou. The Count declared he would enter the gate of Domfront at break of day, and, in order that William might recognize him, he would be mounted on a white horse, and have "un écu tout en or sans aucune devise:" and the envoys promised, on the Duke's part, that he would be there, mounted on a bay horse, "avec un écu de Gueulles," and with a cornet of taffety at the end of his lance. Though neither of them bore any charge upon his shield, at least on that occasion, the specification of the negative fact distinctly indicates that there were others who did; but we must not ignore the gap between this use of distinctive shields and the bearing of hereditary arms.

he may have known little of the law of inheritance, speaks of the entire inheritance in Normandy and England as the subject of distribution by the King between the two sons of William Fitz-Osbern.

His disagreement with the Conqueror seems to have been only a passing cloud, and the second Earl of Hereford was in good credit at court. Fabyan (cap. 220) attributes it to his counsel that the King "caused the abbeyes of England to be searched, and what money in them at the season was found to be brought to his treasour" . . . . . "for the which deed," he adds, "after the exposition of some authors, the said Earl was punished, as after shall be shewed." In the passage first quoted the Earl referred to is described as "the Erle of Hertforde," *e* and *t* being undistinguishable in ancient manuscripts, but a reference to the same passage in cap. 222, makes it clear that Roger Earl of Hereford is intended. But in his private capacity he was a benefactor, rather than a plunderer, of the Church: for we find in Domesday Book the Church of St. Mary of Cormeilles (founded, it will be remembered, by William Fitz-Osbern) entered as tenants in capite of Noent (Newent), granted to it by Earl Roger, for the soul of his father, with the King's licence.

WITHIN little more than three years from his accession to his father's dignities Earl Roger made shipwreck of his fortunes by his participation in what is known as the Norfolk rebellion. A marriage was contracted between his sister and Ralph Guader, Earl of Norfolk, but whether in opposition to the royal commands, according to Florence of Worcester, or by the King's own arrangement, according to the Saxon Chronicle and the Annals of Waverley, is questionable. The nuptials were celebrated with great magnificence during the King's absence in Normandy, and it was at the bridal feast at which many nobles, bishops, and abbots were assembled, that a conspiracy was formed, of which Earls Roger and Ralph were the head, having for its object the deposition of William. Waltheof, Earl of Northampton, was at least privy to the plot, but if he took any active part in it, he speedily repented, and hastened to Normandy to divulge it to the King—a step which did not save his head. In the meantime the conspiracy burst into open rebellion in various parts of England. William de Warrenne and Richard Fitz-Gilbert, who had been appointed Justiciaries of England, and practically Regents during the King's absence, at once adopted vigorous measures, assembled an army, and defeated the rebels in a severe battle in Norfolk. Roger de Breteuil was not  
present



present, being probably engaged in raising his forces in the west; but his complicity in the rebellion was beyond question. On the King's return to England, in the autumn of 1074, Roger was summoned to attend the court, and, not denying his treason, was adjudged to the forfeiture of his lands and perpetual imprisonment. It would probably have required but little show of contrition to restore him to the royal favour, if his proud spirit could have stooped to an apology. The remembrance of former kindness and of the services of William Fitz-Osbern caused the Conqueror, even in the absence of such concession, to treat his prisoner with exceptional leniency and even regard. Ordericus Vitalis relates that on one occasion, when the faithful were celebrating the feast of Easter in due form, the King sent to Earl Roger in prison, by the hands of his guards a box containing a suit of very valuable robes; but the Earl caused a large fire to be made, and committed to the flames the royal presents, the furcoat, and filken tunic, and mantle of the furs of precious ermines brought from abroad. The King hearing of this, exclaimed in great wrath, "He is very insolent to put such an affront upon me, but by God's light he shall never get out of prison while I live." In prison accordingly he remained during William's life, and when, on the king's deathbed, his nobles interceded for various political prisoners, he is related by Ordericus Vitalis to have answered:—"I have long kept in captivity Morcar the noble English Earl. In this I have been unjust, but my fear has been that if he were liberated he would raise disturbance in the kingdom of England. I threw into prison Roger de Breteuil, who opposed me with bitter animosity, and stirred up against me his brother in law, Ralph de Guader, and many others, and I swore that he should not be set free as long as I lived. In like manner I confined many persons to punish them for their own offences, and others to prevent their causing future rebellions . . . . . Being now, however, at the point of death, as I hope to be saved, and by God's mercy absolved from my sins, I order that the prison doors shall be forthwith thrown open, and all prisoners, except my brother, the Bishop of Bayeux, be released and suffered to go free, for the love of God, that He also may have mercy on me. But they are not to be liberated but on condition that they first take an oath to my ministers, for the security of the state, that they will use every means to preserve the peace, both in Normandy and in England, and will steadfastly resist the enemies of tranquillity to the utmost of their power." Whether William Rufus declined to be bound by the deathbed arrangements of his predecessor, or whether the haughty spirit which had prevented Earl Roger

Roger from humbling himself before his offended sovereign prevented him also from taking the oath required of him, does not appear, but he is stated by Ordericus Vitalis, to have remained in captivity until his own death released him from it, and the chronicler adds that at the date of writing his Fourth Book, Reynold and Roger, the two sons of Roger de Breteuil, young men of great promise, were in the service of King Henry, and in much distress, still waiting for the exercise of his clemency, which appeared to them sufficiently tardy. M. Leopold Delisle, the French Editor of Ordericus Vitalis, considers from the internal evidence he advances, that the Fourth Book was written in 1125; but this cannot be—at all events as regards the passage under notice—as the writer could not have spoken of Roger's sons as "young men of great promise," more than fifty years from the commencement of their father's imprisonment. But in fact the chapter contains internal evidence that it is one of the numerous instances in which the Author, after intervals of many years, inserted additional matter in his chronicle, without making corresponding corrections in what he had previously written, for in a few sentences further on, after moralizing, in an often quoted passage, on the transitory nature of human greatness in general and that of Fitz-Osbern and his family in particular, he says that the race had so entirely disappeared in England that, if the writer was not mistaken, not the slightest trace of it could there be found. We may conclude therefore that the two sons of Roger de Breteuil, though living in the reign of Henry I, had died without issue, or otherwise been lost sight of by their contemporaries, previous to 1125. At all events, nothing further is known of them, and there is no trace of either of them having ever been restored to any portion of their father's estates.

THE ownership of the castle and lordship of Striguil, from the date of the forfeiture in 1074 to the time of Walter de Clare, who founded Tintern Abbey in 1131, is involved in great uncertainty; and if we should find reason to question his ownership of them, we do not even with him emerge from the obscurity. The first step towards reducing this period of uncertainty is to ascertain what is to be learned from Domesday Book. According to the usually received date it was completed in 1086, and it is unquestionable that it was begun and finished while Roger de Breteuil was in prison, and the castle was in the King's hands. Isolated passages from that venerable record have been frequently quoted in support of one statement after another, but it will be convenient to have before us the whole of that part of the record which has any reference to the district with which our subject is connected.

WHILE

WHILE in the King's hands it could scarcely be administered as a lordship marcher. The King's writs were therefore directed to his sheriff of the adjoining county of Gloucester, and the lands formerly held by Earls William and Roger were returned with that county. In pursuance with the system common to all parts of Domesday, the record commences with entries relating to the city of Gloucester and the King's demesne lands, and then (before describing the lands comprized in the respective hundreds of the county) proceeds thus :—

“THE Castle of Estrighoiel Earl William built, and in his time it yielded only forty shillings from ships passing to the forest, but in the time of Earl Roger, his son, the same vill yielded sixteen pounds, and Ralph de Limefi had one half. Now the King has from it twelve pounds. Between the rental<sup>1</sup> of Carleion and one carucate which is there, and seven fisheries in the Wye and Usk, there issue seven pounds and ten shillings. In Wales there are three hardwicks, Lamecare [? Llanwern or Llanvair] Poteschuiet and Dinan. In these are eight ploughs and eleven semi-villeins<sup>2</sup> and fifteen boors (bordarii) with six ploughs. For these three hardwicks Roger de Ivrei<sup>3</sup> was willing to take a hundred shillings. Under Wafwic, the bailiff, are thirteen vills; under Elmuïs, fourteen vills; under Bleius there are thirteen vills; under Idhel there are fourteen vills (under the same bailiffs are four vills laid waste by King Caraduech). These yield forty-seven sextaries of honey and  
forty

<sup>1</sup> “Inter redditionem de Carleion,” which Mr. Basevi Sanders, in a translation of a few passages of Domesday printed in a specimen page of the “Ordnance” fac-simile of the portion relating to Gloucestershire, renders “Between the surrender of Carleion.” We shall find that between the history of Caerleon and that of Striguil, there are certain points of contact, which make it desirable to notice the confirmation of the statement at a previous page, that Caerleon was surrendered by Caradoc in 1081. It is here alluded to as being in the King's hands, and is in fact so stated in the Domesday Survey for Herefordshire, but it must shortly afterwards have been re-granted to Caradoc, or his descendants, and seems never to have belonged to the Earls of Hereford.

<sup>2</sup> The villani dimidii appear to have been persons who held moieties only of villanage tenements, or who were half free (liberi) and half villani. Ellis's “*Introd. to Domesday*.”—ED.

<sup>3</sup> In the Record Commissioners' Edition of Domesday, this is printed “de jurei,” but it is clearly a surname. There was a Roger de Iveri mentioned in various parts of Domesday, bearing (as his father Waleran de Iveri had done) the office of cupbearer to the Conqueror. It does not however appear how he comes to be here mentioned in so incidental a manner, and I am almost inclined to suspect that the person here referred to was Roger de Breteuil himself. His father was lord of Breteuil, Pafcie, and Ivry; and as Roger held none of those possessions, he had as much claim to a surname from one as the other.

forty fwine and forty-one cows and twenty-eight shillings for hawks. All this is worth nine pounds ten shillings and four pence. For one waste tenement Walter the cross-bow-man renders one sectary of honey and one hog. Berdic the King's minstrel has three vills, and here are five ploughs. They render nothing. Morinus has one vill, Chenefis one, the son of Wafwic one, Sessibert one, Abraham the priest two vills. These have six ploughs and render nothing. These Earl William appropriated to the custom of King Griffin, by permission of King William.<sup>1</sup> In alms of the King is one vill, which, for the sake of his soul, renders to the church, at the feast of St. Martin, two hogs and a hundred loaves, with beer. Belonging to St. Michael is one carucate of land, and to St. Dewin [? St. David] one carucate. These render no service except to those fairs. One Beluard<sup>2</sup> of Caruen [Caerwent] has half a carucate of land, and renders nothing. Sixty and six fwine are the proceeds of the pannage, and they are worth forty-four shillings. All these yield forty pounds twelve shillings and eight pence. Durand the sheriff granted these same to William de Ow for fifty-five pounds to farm. Walter the cross-bow-man holds of the King two carucates of land, and has here three ploughs, and three male and three female serfs. These are worth twenty shillings. Gerard has two carucates of land and two ploughs. These are worth twenty shillings. Ovis the King's bailiff has two carucates of land and four ploughs there. They are worth twenty shillings. In the King's demesne is one carucate of land there, which Dagobert held. Gozelin Breto holds five carucates of land in Caruen, and here are two ploughs with two Welshmen. They are worth twenty shillings. The Bishop of Coutances holds of the King five carucates of land, and from him there is his one man [at arms]. Here are two ploughs in demesne and three in the hands of the villeins. They are worth forty shillings. Roger de Berchalei holds two carucates of land at Strigoielg, and there has six boors with one plough. They are worth twenty shillings. The sheriff Durand holds of the King in Caruen one tenement called Caldecote. He has there in demesne  
three

<sup>1</sup> "Hos misit Willielmus comes ad consuetudinem Griffin regis licentia regis Willielmi." I give the translation in default of a better, but am neither satisfied with it nor profess to understand the transaction it is intended to describe.

<sup>2</sup> It would be useless for our purpose, if it were possible, to strip the native names of the disguises in which they are dressed by the Norman scribes; but as a specimen it may be noticed that this Beluard has been identified by Mr. Octavius Morgan with Beli Hardd ap Brochvael. For the most part the names are given as we find them, substituting only the nominative case where the name in the record appears to be the Latin ablative, or anglicising the name when beyond doubt.

three ploughs and fifteen semi-villeins and four serfs and one man at arms. All these have twelve ploughs. Here is a mill of ten shillings. All this is worth six pounds. William de Ow has from Strigoielg nine pounds for the toll, as he asserts, but Girard and the other [jury-] men say that he has no more by right than ten pounds from the toll of Strigoielg, even if it were worth a hundred pounds. In Wales the said William has in fee three fisheries in the Wye. They yield seventy shillings and in the same fee Earl William gave to Ralph de Limefi fifty carucates of land in like manner as was in Normandy<sup>1</sup> [*i.e.* of Norman measure]. This testify Hugh and other vouchers that he granted the whole to Ralph. Now William de Ow says that he has not any of this land except thirty-two carucates. Here are in demesne eight ploughs, and the tenants have sixteen ploughs. Here are two mills of ten shillings. The whole is worth twelve pounds and ten shillings. Roger de Laci holds in fee of Strigoielg so much land let to rent with one mill as is worth thirty-six shillings. Turstin Fitz-Rolf has between Usk and Wye seventeen carucates. Of these there are in demesne four and a half. The others are in the hands of the tenants. Here are eleven boors and a mill of seven shillings. The whole is worth nine pounds. Of this land the King's bailiffs claim five carucates and a half, alleging that Turstin took possession without grant. The said Turstin has six carucates of land beyond the Usk, and there his tenants have four ploughs and a mill, yielding fifteen shillings, and half a fishery of ten shillings. The whole is worth fifty-four shillings and sixpence. Alured the Spaniard has in fee two carucates of land, and here are two ploughs in demesne. The said Alured has in Wales seven villis which were the property of Earl William and Roger his son in demesne. These render six sextaries of honey and six hogs and ten shillings."

VARIOUS writers, including some whom we look up to with respect, assert, on the alleged authority of Domesday Book, that the castle and lordship marcher of Striguil were held by William Count d'Eu, who held Tidenham and various manors by gift of the Conqueror and his successors. The words of the Domesday Record just quoted do not bear out this statement; on the contrary it

<sup>1</sup> The late Mr. Eyton has pointed out the fact that the lands in Monmouthshire adjoining the Welsh border were never "hidated." The term *hide* was essentially Saxon, and inasmuch as the lands referred to were never possessed by the Saxons, but were derived by the Normans directly by conquest from the Britons, in the Great Inquest the Norman term *carucate* was introduced. Mr. Eyton was of opinion that the Normans intended thereby an estate which, in point of value and capacity, was closely analogous to the Saxon *hide* ("Key to the Domesday of Dorset," p. 17).—ED.

it shews that, though grants had been made to various parties of other portions of the forfeited estates, the castle and town were then in the King's hands; and all it says in relation to them of the Count d'Eu, therein called William de Ow, is that he had out of Strigoielg, as he asserted, £9 from the toll, namely the customary dues on vessels passing up the river, but that the jury limited his right to a fixed payment of £10 if the tolls amounted to more than that sum. This at least is my construction of a statement, which, on a first reading, seemed a little incoherent, as the finding of the jury appeared to extend instead of limiting his claim. Another possible explanation is that the ix pounds may be an error for xx, in transcription from the inquisition to the Domesday Record. The latter has unmistakeably ix, as we have the means of verifying by the photozincograph facsimile, published by the Ordnance Office. We will not wander from our subject to discuss this. It is enough for our purpose to observe that the rights of the Count d'Eu related only to the toll, a grant of which to him (if he did not derive title to it, as well as to the thirty-two carucates of land in Wales, from Ralph de Limesi, as may be inferred from passages above quoted and entries in other parts of Domesday Book) seems natural enough, seeing that he was lord of Tidenham, on the opposite bank of the river. Be this as it may, his rights, whatever they may have been, ceased by forfeiture for his share in the Mowbray conspiracy, in 1095. Early in the following year, being defeated in trial by battle at Salisbury, he was condemned to the loss of his eyes and other mutilations.

TINTERN Abbey was founded in 1131, but it is pointed out in Messrs. Morgan and Wakeman's paper on Dinham, printed for the Monmouthshire and Caerleon Antiquarian Association (p. 25), that it was a tardy act of reparation for plunder on estates of the Church in Gwent previous to the accession of Bishop Urban to the see of Llandaff in 1107. If then we were to assume from his foundation of Tintern that Walter de Clare held Striguil Castle and Lordship Marcher as part of his possessions in Netherwent, the period of uncertainty as to the ownership would be narrowed to the interval between the completion of the Domesday Survey in 1086, when the castle was in the King's hands, and a date anterior to 1107. In attempting to fix with more precision the date of the acquisition of this property by him or some other member of the Clare family, we must necessarily abandon the solid ground of ascertained fact and trust to some extent to conjecture, and I have been led by a variety of circumstances, minute in themselves, but significant when viewed in connection with

with each other, to entertain what at the present stage of the enquiry I will not dignify with the name of a theory, or even a conjecture, but which I may venture to call a suspicion, that Striguil, from the first grant to William Fitz-Osbern, was held in grand serjeanty by the performance of the office of Marshal of England or Marshal of the King's host. This suspicion is mentioned here that it may be borne in mind to assist in accounting for various unexplained facts which will encounter us in the progress of our memoir. One of them we have already passed by—the resignation of William Fitz-Osbern of his office of Seneschal on an affront from the King. We hear nothing of any resignation of his Marshalship. If it were an office of grand serjeanty, the resignation of it would have been the resignation of his lands, which involved military power and personal influence too highly valued to be lightly surrendered.

It is true that Sir Edward Coke (4th Inst., c. 17) says that “the office of Earl Marshal of England ever passed by the grants of the King, and never belonged to any subject by reason of tenure, as the Stewardship and Constableness of England sometime did.” But on the other hand Littleton, whose work Coke edited with his famous commentary, expressly instances the office of Marshal as one held by grand serjeanty:—“Tenure per grand serjeantie est lou un home tient ses tenes ou tenements de nostre seignior le roy per tiels services que il doit en son proper person faire al roy, come de porter le banner de nostre seignior le roy, ou fa lance, ou de amefner son hoste *ou d'estre son Marshal,*” &c. On which Coke comments (Co. Lit., fec. 153):—“If the King giveth lands to a man to hold of him to be his Marshal of his host, or to be Marshal of England, or to be Constable of England, or to be High Steward of England, Chamberlayne of England, and the like, these are grand serjeanties, and these and such like grand serjeanties are of great and high jurisdiction, and some of them concern matters military in time of war, and some matters of honour in time of peace. And this is to be observed that though there were divers Lords, *Marshalls of England*, before the reign of Richard II, yet King Richard II created Thomas Mowbray, Duke of Norfolk, the first *Earle Marshall of England*, per nomen Comitibus Maréchallicis Anglice.” The distinction between an Earl Marshal of England and an Earl who is Marshal or Lord Marshal of England is very fine, but it will be found on reference to the grant to Thomas Mowbray, Earl of Nottingham, and afterwards Duke of Norfolk, which we need not anticipate here, to have been a real one; and if the passage first above quoted from Coke's 4th Institute be meant

to

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to apply only to the office of Earl Marshal as reconstituted in the reign of Richard II, it has no bearing on the question of the tenure of Striguil Castle in the reign of the Norman and early Plantagenet kings. Of the various grants cited by Coke in a note to this passage, one in the reign of King John is found on reference to the *Rotuli Chartarum* to relate to a wholly different office—that of “*magistratum marescalciæ curiæ nostræ*”—and the others are foreign to our purpose, as bearing date after the Lordship of Striguil had passed into the hands of King Edward I on the surrender and death of Roger Bigod, as we shall have to notice in its proper place. Anstis in his “Discourse on the Court Military” (p. 25, but which is here quoted second hand from Carte, II, 269, citing 2 Roll, 509), says:—“The Constable and Marshal were obliged to attend our armies. Their cases are somewhat peculiar that though both these offices were anciently inheritances held in grand serjeanty, and consequently seemed regularly entitled by such tenures to the exemptions incident thereto, yet both of them were compellable to attend all voyages royal.” Carte quotes the above in support of his position (in relation to the contention of the Earls of Hereford and Norfolk, temp. Edw. I., to be hereafter mentioned) that they were bound to attend in every army, whether commanded by the King or not; but the quotation does not support his views, for a “voyage royal” meant an expedition of the King in person.

WE have seen that the office of Marshal was originally conferred by the Conqueror jointly on William Fitz-Osbern, Earl of Hereford, and Roger Montgomery, Earl of Shrewsbury. Assuming that the offices thus created were hereditary, as was certainly the case when held by the successive families of Clare, Marshal, and Bigod, the forfeiture incurred by Roger de Breteuil, the second Norman Earl of Hereford, left Roger Montgomery sole marshal, and there would be no practical inconvenience in not filling up the vacancy while Roger de Breteuil remained in prison, and his estates, or at all events, Striguil Castle, which was the *Caput Baroniarum*, were in the King's hands. Roger Montgomery died in 1094, leaving four sons. Hugh, the eldest, succeeded him as Earl of Shrewsbury and (on the assumption of the hereditary nature of the office) as marshal also. The second son, Robert, better known by the name of Robert de Belesme, though he eventually succeeded his elder brother as Earl of Shrewsbury, inherited his father's possessions in Normandy, and the events of his life are principally connected with the affairs of that country. Of the two other surviving sons of the first Earl of Shrewsbury Ordericus Vitalis, whose



whose family was in intimate relations with theirs, so that he may be considered as speaking with special knowledge, says (B. V, c. 14) that the prudent old Earl obtained Earldoms for his two remaining sons Roger and Arnulph, and again (B. VIII, c. 25) that they married noble wives and both were made Earls, and (B. XI, c. 3) that they were wealthy English Earls, and through the care of their father, the Earl Roger de Montgomery obtained great honours and domains. Roger, better known as Roger of Poictou, from possessions acquired with his wife, had a grant of the Honour of Lancaster, and Arnulph that of the Honour or Lordship and Castle of Pembroke, or according to some writers only the custody of the Castle. Both are constantly spoken of by their contemporaries as Earls, though their title is disputed by modern authorities. In Mr. Floyd's paper on the Norman Conquest of South Wales, already quoted, it is contended that the Conquest of Cardigan and Dyved (Pembroke) in 1093 was effected in a national war, in some at least of the operations of which the forces were led by William Rufus himself. If these propositions, or even the first of them, be established, the Earl of Shrewsbury no doubt took part in the expedition, not as a Lord Marcher on his own account, but in the performance of his duties as Marshal of England: and the transaction would account both for the grant to his son of the Earldom of Pembroke, as a reward for military services to the crown, and for the peculiar position which Pembroke has always held, being reputed as an English county, and called "Little England beyond Wales." The question of the Earldom or titular Earldom of Pembroke will be again noticed presently. It is mentioned here, partly for the illustration it affords of the somewhat parallel case of the Earldom of Striguil, and partly because the Earldom of Pembroke, real or titular, subsequently furnished a title for the earldom granted to Gilbert Strongbow, which may either have been a mere accident, or one of those small but significant facts alluded to above as bearing on the connection between that earldom and the office of hereditary marshal. The office, if it descended to either of the sons of the first Earl of Shrewsbury, was forfeited by their treason in the year 1102. And, as the office of Marshal was no sinecure in the reigns of the three Norman kings, there must then have arisen an urgent necessity for filling up the vacancy. Between this date and 1107 we find Walter de Clare in possession of his estates in Gwent, at a period when a vacancy in the see of Llandaff afforded an opportunity for the usurpations on Church property for which he was called to account when Bishop Urban succeeded in that year, and he was then described as Lord of Caerwent. Whatever lands, therefore, were acquired in this neighbourhood

bourhood by Walter de Clare, whether from his own family or otherwise, were probably acquired before this period : and the date, important as it is to our purpose, would be still more so if we were to assume, according to the generally received opinion, that these lands comprised Striguil and its Lordship Marcher. But it is proposed to show that this assumption is not warranted by the known facts, and that about the same period lands in Netherwent, of which there is more reason for supposing Striguil to have formed part, were acquired by his elder brother, Gilbert, a man of great power and influence, of whose military exploits very much more is known, and of whose tenure of the Marshalship we have a slight but not unimportant indication in his leading the van in the King's army. History has not recorded the fact of either brother having held the office of Marshal, but neither has it recorded the name of any other holder of that office from the period of William Fitz-Osbern and his colleague Roger Montgomery to that of Gilbert Strongbow, Earl of Pembroke : and it was the identity of the period of uncertainty in the history of the Marshalship and in that of the Lordship Marcher which first suggested their connection.

THE manner in which the office of Marshal was filled during this period has been a standing puzzle to antiquaries. Various names have been suggested, "some conferring the honour on Hugo Grantemeisnel, others on a Gulielmus Filius Gulielmi, or Fitz-William, some on Robert Fitz-Ede, a base son of Henry I, and some again, as Mr. Camden and others, on Walter Giffard, Earl of Buckingham." Readers who are desirous of pursuing the subject and investigating the grounds of probability for and against these rival claims, are referred to the pages of Edmondson's Heraldry, from which work (I, 42), the preceding sentence is extracted ; but they must be cautioned against the unwarrantable assumption with which that writer opens the discussion by saying "there is no pretence that the office, at its primary institution in this kingdom, was made hereditary in the family of either of those Earls [of Hereford and Shrewsbury]." It would be much more reasonable to say "there is no pretence" for *denying* the proposition, for the fact of the office having been, at all events as early as 1138, held as an hereditary one, and continuing, with temporary and explainable exceptions, to be such, whether held by investiture or patent, from the reign of King Stephen to that of Queen Victoria, surely raises a presumption, almost amounting to necessary inference, that the creation of the office only seventy-two years before the earlier of those dates was on similar terms as regards its hereditary nature, whether it

was

was or was not an office of grand serjeanty, and that the course of descent had only been interrupted by the treason and consequent forfeiture of its holders. Nor is the analogy between the office of Marshal and other offices of similar dignity and importance, such as those of the Constable and Steward, to be entirely disregarded. It is submitted that no case has been made out for any of the competitors, and that there is still room for a new candidate for the vacant office, even if the reader is not disposed to fill the vacancy with the name of the Lord Marcher of Striguil. He is only asked at the present moment to suspend his judgment.

## CHAPTER II.

## THE EARLY CLARES.



**I**N order to render intelligible what we shall have to say in examining the claim of Walter de Clare, and endeavouring to ascertain when and in what manner Striguil came into the possession of some member of the Clare family, it will be necessary, in the first instance, to give some particulars of Richard Fitz-Gilbert or de Clare of Bienfaite, who was the ancestor of many Lords of Striguil, though I am not prepared, notwithstanding high authority, to admit him among the number of them without more evidence than has yet been produced. He was distantly related to the Conqueror, like many others of the Norman adventurers, for his grandfather, Godfrey or Geoffrey, Count of Eu and Brionne (the former dignity however being surrendered in favour of his brother), was an illegitimate son of Richard Sans-Peur, Duke of Normandy, already mentioned as the great grandfather of William (*see* Pedigree, No. 1). The local name by which Earl Richard Fitz-Gilbert was known in Normandy was Richard de Bienfaite, and by that name we will continue to designate him in order to distinguish him from three other Richards, sons of three other Gilberts, whom we shall have to mention among his descendants. It is a name however which has been the subject of a very gratuitous mistake: De Bienfaite having been latinized by the chroniclers into De Benefacta, Dugdale (*Bar.* I, 206) makes what he honestly calls a guess that the first place of Richard Fitz-Gilbert's residence in England was at Benfield, in the east part of Northamptonshire.<sup>1</sup>

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<sup>1</sup> If he had guessed Weldon in the same county it would at least have had the merit of founding like a literal translation.

There is no foundation for this, Northamptonshire not happening to be one of the counties in which his name is mentioned in *Domesday* book, according to which he enjoyed thirty-eight lordships in Surrey, thirty-five in Essex, three in Cambridgeshire, ninety-five in Suffolk, and others in Wilts and Devon. His principal English residences were at Clare in Suffolk, from which he and his posterity took the name of De Clare,<sup>1</sup> and Tonbridge in Kent, which furnished a name by which his son Gilbert and grandson Richard were frequently designated. The latter he obtained by a curious exchange with the Archbishop of Canterbury for his ancestral castle of Brionne, round which the distance of a league was measured with a rope and the same rope brought over to England to measure a league round Tonbridge that equal quantities of land might be exchanged—so little idea had our ancestors at this period of a standard of measures.

Of his age at the date of the Conquest we may form an approximate estimate from the fact that on the murder of his father, in or soon after 1035, as related by William of Jumiege, being another of the acts of violence during the troubles then arising in the Duchy of Normandy, he and his brother Baldwin fled with their guardian to Baldwin Count of Flanders. They were therefore at that time of tender years. The mistakes which have led some authors to postdate the death of this Richard to the year 1114, or even to 1136, and which will be noticed in future pages, have been much discussed and fully exposed; but there is still some confusion as to the exact date. Mr. Ormerod in correcting these mistakes, accepts as evidence of his decease in 1091 the relation by Ordericus Vitalis (B. VII, c. 17) (of a horrible vision of one Walkelin, a priest of Bonneval, in the diocese of Lisieux, in which Richard and his brother Baldwin were seen among a ghastly troop of tortured souls met by him on his return from a midnight visit to a distant part of his parish; and incidental mention is made of their being then recently deceased. Now, the chronicler not only explicitly fixes the date of the vision in the beginning of January 1091; but he relates that the priest, when he first heard the tramp of the ghostly troop, supposed the sounds to proceed from the army of Robert de Belesme on his march to the siege of Courci-sur-Dive, the date of which  
precisely

<sup>1</sup> The name of this Lordship, in its Latin adjective form of *Clarensis*, eventually furnished the title of Clarence to some of our royal dukes, the Lordship of Clare, and the representation of the Clare family having passed by marriage to the family of the De Burghs, and through them to Lionel, created Duke of Clarence, the third son of Edward III.

precisely corresponds. But it was *during* this siege that Richard and others were taken prisoners by Robert de Belesme<sup>1</sup> and experienced the rigours of his dungeon, as related by Ordericus in the chapter previous. Mr. Planché, in a note to the "Conqueror and his Companions" (ii, 36), states unreservedly that the Richard so imprisoned was not Richard de Bienfaite, but his grandson, Richard, erroneously spoken of in the note as the second instead of the eldest son of Gilbert Lord of Tonbridge. The dates render this very improbable. Early as the military career began in those days, a family could scarcely be expected to furnish, within so short a period of each other, three generations of fighting men; and the second Richard, who was slain by the Welsh forty-five years afterwards, is spoken of by William of Jumiege (B. VIII, c. 37) as "*immatura morte peremptus*." Mr. Planché's object was to shew that Richard de Bienfaite was dead at a still earlier period; as evidence of which he mentions the possession and defence of Tonbridge Castle by his son Gilbert in 1088; but nothing is more natural than that he should be found defending it during his father's absence in Normandy. He also alleges that Baldwin was dead before 1090, on the ground of a history of his title, which his son Robert gave to Robert Curthose in that year in answer to a demand for the surrender of the Castle of Brionne to Robert de Beaumont, but here the dates do not bear out Mr. Planché's argument. In the absence of any authority cited it is fair to assume that he has adopted, without examination, the statement of Dugdale (Baronage, i, 254), who does indeed name that year for the incident referred to, but cites as his authority Ordericus Vitalis. On turning to that chronicler we find no date mentioned or indicated, except that he commences the chapter (B. VIII, c. 13), with the words "At the same time," the last previously mentioned event being the assassination of Gilbert de l'Aigle and his burial on *hiffextile* day 1092. Perhaps the best explanation of the discrepancy in the account of Ordericus Vitalis is that with the credulity of his age he relates as an actual adventure of the priest of Bonneval circumstances which passed only in a nightmare dream, in which his imagination mixed up with the other incidents the siege of Courci-sur-Dive. The incidental mention of the decease of Richard and Baldwin remains as evidence—the more valuable because it is incidental—of their deaths about the period when the siege was a recent or still current event. Whether Richard died in 1091, or 1088, or at

<sup>1</sup> Not, as stated in Mr. Ormerod's pedigree, Robert, Duke of Normandy, whose participation in the siege was little more than nominal. The point is of no importance, but no mistake should pass unnoticed, when an opportunity arises for its correction.

at any earlier period, is immaterial to our purpose. All that is important with reference to the points we shall have to discuss in relation to the history of Striguil is to shew that he was not alive at a much later period, or, at all events, that he did not survive to the reign of Henry I.

HE married Rohais, daughter of Walter Giffard, Earl of Buckingham, the son, according to Dugdale, but probably the grandson, of Osbern de Bolebec and Aveline or Duveline, his wife, a sister of the Conqueror's great-grandmother Gunōr,<sup>1</sup> an alliance by which, as we shall see, the estates of the Giffard family eventually passed to the descendants of Richard de Bienfaite. He had many children by his wife Rohais; but it is only necessary here to mention Gilbert, who succeeded to his father's English estates; Roger, his successor in his Norman possessions, and Walter, known as the founder of Tintern Abbey, and hitherto, but as it is proposed to shew erroneously, supposed to have been owner of the Lordship Marcher of Striguil. The genealogy of this great family is one that has been subjected to more than its share of mystification and confusion, and we are again indebted to Mr. Ormerod for clearing away the imaginary Fitz-Osberts and Clares of Ogie who have been interpolated into it—rectifying the mistakes of Dugdale—and recalling us to the pedigree in Duchesne's "*Hist. Norm. Scriptores*" for a trustworthy account of the descent of the family. So much of it as is necessary for reference in elucidation of the statements in our memoir is reproduced in our Pedigrees, Nos. I and II.

MR. Ormerod (Strig. 79) describes Richard Fitz-Gilbert de Bienfaite as Lord of Striguil, and attributes his obtaining the grant of it to his having been mainly instrumental in putting down the Norfolk Rebellion. A statement of the Historian of Cheshire is not to be lightly questioned, though the amusements of his declining years must not be tried by the standard of his great work; and if the present statement had rested on his bare assertion, I should have implicitly relied upon it, contenting myself with the observation that I had failed to trace the original authority on which it was founded. But I understand him to indicate the grounds for his statement in a passage  
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<sup>1</sup> Wace represents Walter Giffard as excusing himself from carrying William's gonfanon at Hastings on the ground of his white and bald head, his failing strength, and shortness of breath; but he must have been indeed a patriarch if his mother had been a sister of the Conqueror's great-grandmother, and if he himself had survived, Dugdale and Sir Harris Nicolas say he did, to 1102. Other authorities make the Walter who died in 1102 the son of the Walter who fought at Hastings, and say that the last named was dead before 1084. The dates raise the presumption, or rather the necessary inference, that even he was not nearer in descent to Osbern de Bolebec than grandson.

in the page preceding that just cited, involving unfortunately a manifest error in dates. In speaking of the Priory Church of Striguil he quotes from *Dug. Mon.*, 1077, vi, part 2, a confirmation charter of Henry II to the monks of Cormeilles, "confirming to them, inter alia, churches, lands, &c., as held by them in the time of his grandfather, Henry I, *who died in 1100*, and naming, among these, tithes in the demesne of Earl Richard Fitz-Gilbert between Ufk and Wye, a fourth part of the tithes of Striguil, and the Church of Striguil, with its chapels, tithes, rents, and appurtenances." Now the year 1100 was the date of the accession, and not the death, of Henry I, and consequently the Richard Fitz-Gilbert who flourished in his reign (1100-1135) was not Richard Fitz-Gilbert de Bienfaite, who died, according to Mr. Ormerod's shewing, in or before 1091, but his grandson, Richard Fitz-Gilbert de Clare, founder of Tonbridge Priory, the nephew, and not the father, of Walter de Clare, who founded Tintern Abbey.

THE Tintern Chronicle states that Walter de Clare succeeded to the estates of the Counts of Eu and Breteville. This however, if it mean that he succeeded by right of inheritance, is impossible for various reasons. No title could be derived from either of them in consequence of their forfeiture, and even if their estates had descended to their heirs, Walter de Clare, though distantly related to both (saving the objection of illegitimate links in the pedigree), was not heir to either of them, nor, if he had been, could he, according to the feudal law, have inherited the English lands granted to them after the Conquest, not being of the blood of the first purchasers.<sup>1</sup> William Count of Eu, the grandfather of the William Count of Eu we have had occasion to speak of, and Geoffrey or Godfrey, Count of Brionne, already mentioned as the grandfather of Richard de Clare of Bienfaite, were illegitimate sons of Richard Sans-Peur, and probably by different mothers, Dudon de St. Quentin (*Duchefne's Hist. Norm.*, 152) and Ralph de Diceto (*Twysden's Scrip.*, 457) speaking of concubines in the plural in mentioning the births of Geoffrey, William, and two sisters. As to Roger de Breteuil (to say nothing of his having sons who were living as late as the reign of Henry I), his relationship would have to be traced a generation further back

<sup>1</sup> This is a technical term of law, quite unconnected with purchase in the sense of a pecuniary transaction. The Latin equivalent is "*perquisitor*," or "*conquistor*," the ancestor first acquiring the estate by grant or other means than the course of descent. It has been contended by Blackstone and others that it was in this sense only, and not as having conquered England by the sword, that William took his appellation of the Conqueror.



back through the parent of Richard Sans-Peur, of whom Roger de Breteuil's great-grandfather, Rodolph, Count of Ivry, was uterine brother, so that no relationship could be traced except through the half blood and illegitimate births; and if these were admitted, the English king, as representative of the elder line, had a prior claim over the family of Clare to any inheritance derived from the Counts of Eu or Breteuil. (See pedigree, No. 1). Nor was Walter de Clare even the representative of the Clare family, being himself a younger son. Possibly the Tintern Chronicle only meant that he had grants of forfeited estates of the Counts of Eu and Breteuil; but if it be so it does not follow that Striguil was part of the estates so granted to him. Little is known of Walter de Clare. It may be that the reason quia caret vate sacro is to be found in his dealings with the Church, and that the Chroniclers, acting on the principle of "De mortuis nil nisi bonum," told all the good they knew of him in recording him as the pious founder of Tintern Abbey. But a much more probable explanation of their silence is that he really filled a less important position, political and military, than he would have done if he had been the Lord Marcher of Striguil. As a younger son he had to carve out his own fortune, and it was quite in accordance with the manners and practices of the period, that, without being a person of any political importance, he should acquire lands, partly by grant and partly by violence, or wholly by the latter means. The few circumstances recorded of him present him rather in the light of one of those foldiers of fortune, of whose position in the reign of Henry I a picture is given in Mr. Sharon Turner's chapter on Chivalry and Knight Errantry in England and Normandy, whose inducements to accept knighthood were not merely the honours and donations they received, but the plunder they were constantly acquiring, the ecclesiastical possessions being peculiarly the objects of attack. We accordingly catch occasional glimpses of him overrunning Netherwent and Gower, as recorded in the Tintern Chronicle, or turning a deaf ear to the thunders of the Church, whether in the form of an excommunication from Bishop Urban in 1107, or the bulls of Pope Calixtus in 1119 and Pope Honorius II in 1128, until in 1131, in the spirit of those who, after a life of rapine and violence,

"To be sure of paradise,  
Dying put on the weed of Dominick,  
Or in Franciscan think to pass disguised,"

he founded, on part of the lands plundered from the Church of Llandaff, the  
Cistercian

Cistercian Abbey of St. Mary at Tintern. The reader need scarcely be reminded that the noble abbey church, the ruins of which are the principal glory of the Wye, was the production of a later age, and that the foundation of an abbey does not necessarily imply anything further than the grant of lands as an endowment for the maintenance of a religious community. Of course a consecrated building for the celebration of the daily and nightly offices of the church would be a necessity, and there can be no doubt that the thirteenth century church, of which we now see the remains, was erected, if not on the site of, at all events in substitution for,<sup>1</sup> an earlier building, marked

<sup>1</sup> The suggestion is thus put in the alternative under an idea, which it would be foreign to our purpose to discuss here beyond indicating it in a note. It is that Walter de Clare's abbey was perhaps erected in the parish from which it took its name, on the site of a building, of which remains still exist, on a steep bank, on the north side of the present turnpike road, a little to the west of Tintern Church, that when Roger Bigod, nearly a century and a half later, determined to re-build it on a scale of greater splendour, the site being neither large enough, nor, from the nature of the ground, capable of extension, the abbey was erected on its present site, in the parish of Chapel Hill, taking with it its original name of Tintern Abbey, and giving the name of Abbey Tintern, in common acceptance (but not in any legal document of greater importance than a turnpike act), to the village which arose in its neighbourhood, and causing the parish of Tintern to be called, for distinction's sake, Tintern Parva—and that the old monastic buildings were converted into, or became part of, the Abbot's House, by which name the ruins in Tintern Parva are described in old guide books, though even the tradition is now fading from the memory of the inhabitants. The Abbot's House formed an important feature in a monastery; it was usually within the limits of the Cloister, but detached from the monastic buildings, and was often arranged in cloister form, like a monastery on a reduced scale. That there should be no trace of any such establishment near the present world-famous ruins, comparatively perfect as they are in other respects—that there is not a stone in them indicating an earlier date than the latter half of the thirteenth century—that at a mile distant, in Tintern, there is a building which has traditionally borne the name of the Abbot's House—that what is now known as Tintern Abbey is not at Tintern, but at Chapel Hill, and that there is a parish of Tintern Parva, and no parish called Tintern Magna in contra-distinction, are considerations which have led me to append this note, as a hint for future enquiry, pending which I must not be understood as expressing an opinion on the subject.

In early times, that is during the 12th and 13th centuries, while the strictness of the Cistercian Rule remained in full force, the Abbot had no special rooms; he slept in the common *Dortor* with his monks, and dined with the better class of guests in the Refectory of the *Hospitium*. In later times when Cistercian Abbots began to have special apartments provided for them, the place chosen was usually far away on the east of the monastic buildings, but for special reasons, with respect to site or otherwise, it might have been in the west, and it is possible that the old building alluded to may have been originally constructed for the abbot's house. The author's ingenious suggestion is well worthy of consideration.—ED.

marked by the simplicity which was always enjoined, and in the early years of the order, strictly observed, under the Cistercian rule, by which its form was rigidly prescribed.

IF there be one fact in the history of the early Lords of Striguil, which has hitherto passed unquestioned and unsuspected, it is that Walter de Clare was one of them; but it does not appear that his ownership of Striguil is more than an inference from the ascertained facts of his possessing estates in Netherwent, encroaching on church property previous to 1107, and founding Tintern Abbey in 1131. The Tintern Chronicle, as quoted in the *Monasticon*, after stating that he and his ancestors acquired Netherwent and Gower, and mentioning his death without issue at a date not given, adds "*Cui successit in hæreditatem Gilbertus Strongbow, filius patris sui, qui incontinenti factus fuit primus comes Pembrochiæ, et idem Gilbertus dominium de Strughulle et totius Netherwenciæ, cum prædictis terris, habuit et tenuit per decennium, qui quidem Gilbertus genuit filium, et imposuit sibi nomen Richardus, et in anno 1148 obiit et sepultus est apud Tynternam.*" The mistake of *patris* for *fratris*, so liable to be confounded in manuscripts, is obvious—so obvious indeed that it is surprising it should have been the first step towards the utter confusion of the Clare pedigree in various attempts to reconcile it with the supposed fact of Gilbert Strongbow being the brother, instead of the nephew, of Walter de Clare." "*Filius fratris sui*" would be a natural mode of describing a nephew, but no one would write "*filius patris sui*" to describe a brother; and that Gilbert Strongbow was the second son of Walter's elder brother, Gilbert de Clare of Tonbridge, is unquestionable. But further difficulties arise on the passage if we are to treat Striguil as part of Walter de Clare's possessions, for Gilbert Strongbow's succession and tenure for ten years ending in 1148, which would bring us back to 1138 as the date of Walter de Clare's death, would be inconsistent with the confirmation charter to the Abbey of Corneilles, referred to in the early part of the present chapter, which we agree with Mr. Ormerod in regarding as satisfactory evidence of the possession of Striguil by the Richard therein referred to, whoever he might be. This being so, the correction of the mistake which identified him with Richard de Bienfaite proves the possession of Richard Fitz-Gilbert de Clare, the nephew of Walter, and elder brother of Gilbert Strongbow, at a date previous to the death of Henry I, in 1135. This fact, under the same assumption of Striguil having belonged to Walter de Clare, would make it necessary to  
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assign an earlier date to his death. Archdeacon Coxe (Monmouthshire, p. 371) and other writers who have followed him do indeed give the date of 1131, the very year of his foundation of Tintern Abbey; but no authority is found for this, and it may be suspected to have arisen from the marginal date of 1131 being printed (as it is) a line too low in one of the early editions of Dugdale's *Monasticon*, opposite to the mention of the death of Walter de Clare, though intended to refer to the foundation of the abbey, the date of which is given in words at length in the previous line of the text. The Tintern monks, according to the calendar given by William of Worcester, and printed in Grose's *Antiquities* and Heath's *Tintern*, celebrated his obituary on the 10th March, but this does not help us to the year, even if the calendar could be accepted as evidence of the date of death.<sup>1</sup> Mr. Ormerod, in the pedigree illustrating his paper on the Descent of the Lords of Striguil, which he says follows that of Duchesne, collated with charters and found correct, states it to have been in 1138. No dates are given in Duchesne's pedigree—so that the addition must be read as Mr. Ormerod's own, derived from the documentary evidence he alludes to. A reader who ignored the possession of Richard Fitz-Gilbert of Tonbridge, in consequence of erroneously referring the mention of him to Richard Fitz-Gilbert of Bienfaite, and adopted the statement of the Tintern Chronicle that Gilbert Strongbow was the immediate successor of Walter de Clare, would, by reckoning backwards the "decennium" of that document, arrive at 1138 as the date of his death; and it is probable that this is either true or as near the truth as can be expected from a mode of calculation which necessarily takes no account of fractions of a year, and that Gilbert was in fact the immediate successor to Walter de Clare, but only as to lands which did not comprise Striguil. The first mention of this lordship in the Tintern Chronicle is not in connection with the name of Walter de Clare, but with that of Gilbert Strongbow, who, it says, held it, and the whole of Netherwent *with the aforesaid lands*, that is to say *with*, not *as part of*, the lands derived from his uncle Walter; and this is quite consistent with, if it does not actually point to, his having acquired Striguil by other means. Now a charter of  
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<sup>1</sup> Probably in many instances the obits were kept on days arbitrarily set apart for that purpose, and only conventionally representing the anniversaries of benefactors' deaths. The same calendar gives 27th June for the obituary of Galfredus Marechal, Earl of Pembroke, and 24th December for that of Anselmus Marechal—whereas they died within a month of each other, and neither of the dates precisely agrees with the accounts of the chroniclers.

Badaron, Lord of Monmouth, noticed by Mr. Wakeman at the Chepstow Meeting of the British Archæological Association in 1854 (*see* their "Journal," vol. x, p. 280), recites the marriage of the grantor at Striguil, with Rohais, daughter of Gilbert the Consul, at which Odo, Prior of Striguil, and Godfrey, Prior of Monmouth, were present and officiated; and Mr. Wakeman points out that the mention of Prior Godfrey fixes the date between 1125 and 1130, and in his notes on Penhow Castle [page 6], printed for the Monmouthshire and Caerleon Antiquarian Association, he fixes it more precisely in 1128. At the earliest of these dates Gilbert of Tonbridge, the father of Rohais, was dead, as shall be shewn immediately, notwithstanding Mr. Wakeman's statement to the contrary; but her marriage at Striguil raises a fair inference that it was the residence of her brother Richard, the then head of her family.

It would be a reasonable assumption, even in the absence of the further evidence about to be adduced, that both Walter de Clare and his brother Gilbert, the father of Rohais, held lands in Gwent, Striguil being among the possessions of the latter, and that the estates only became united in the hands of one owner in the next generation. There is a passage in Dugdale's "Baronage" (i, 208), which will strongly confirm this, when read with the necessary correction of shewing that, amid the notorious errors of his pedigree of the Clare family, as to which he seems to have been especially ill-informed, he has confounded Gilbert of Tonbridge, the son, with Gilbert Strongbow, the grandson, of Richard de Bienfaite, assigning to one the events of the lives of both, and that so much of his narrative, in the following passage, as precedes the statement of the latter acquiring the property of his two uncles and being created Earl of Pembroke, ought to have been given in relation to the former. He says: "This Gilbert, having often made suit to King Henry I to bestow on him some lands in Wales, the King at length, discerning the Welsh to be unquiet among themselves, and that they had made great depredations upon each other, about the tenth year of his reign [1109-10] sent for him, and made him an offer of all the lands of Cadogan ap Blethyn in case he could win them; of which, joyfully accepting, he raised all the power he could, and landing in Cardiganhire, brought that whole country in a short time to subjection, where soon after he built two castles, one towards North Wales, upon the River Yftwith, . . . . and the other towards Dyvet, upon the river Teivi, at a place called Dungenant, where Roger de Montgomery, Earl of Shrewsbury, had before time begun to fortify. After this, scil. in ann.

1113

1113 (14 Henry I), at the instigation of some who thirsted after the lands of the Welsh, and upon complaint of divers robberies and spoils committed by those people, King Henry I raised an army, threatening to destroy all North Wales and Powysland, and committed the van thereof to the conduct of this Gilbert. Possessing therefore all Netherwent, with the whole dominion of Striguil, now Chepstow, and the one half of Grun<sup>1</sup> in Wales, and likewise all the lands of Roger and Walter, two of his uncles, who died without issue, he was made Earl of Pembroke by King Stephen in ann. 1138." That Dugdale did make this mistake is one of the blots hit in Hornby's "Specimen of Mistakes in Dugdale's Baronage," and the proof of it is clear: for the passage bears internal evidence of its origin in partially adopting the very words of Powel's translation of Caradoc of Llancarvan, cited in the margin. This author speaks of the Gilbert of the earlier incidents related as Gilbert Strongbow, Earl of Strygill, and the edition of 1584, which was that used by Dugdale, places the events of his warfare against Cadogan ap Blethyn under the year 1109, and the royal expedition against the Welsh, in which he led the van, in 1113: and in a subsequent passage at p. 183 mentions his death of a consumption in 1116, misnaming him however, in the last mentioned place, as *William* Strongbow. There are important variations between the above edition of Powel's translation of Caradoc of Llancarvan and that of 1774, and especially a discrepancy of two years in date running through all the events of about this period. The later edition (pp. 135 and 151) places the first or private expedition in 1107, the royal campaign in 1111, and the death of Strongbow, here correctly named Gilbert, in 1114. Now as all authorities, not excepting Dugdale, attribute the conferring of an earldom on Gilbert Strongbow to King Stephen, in 1138, it is clear either that the father, as well as the son, was known as Earl of Strygill, and by the surname of Strongbow, or at least that Caradoc of Llancarvan<sup>1</sup> supposed such to be the case, or else that he made a mistake between them in so designating the elder—a mistake from which, if it be one, Dugdale might have saved himself, if he had paid due regard to the statement of his author that the person referred to died in 1114 (or 1116 according to the edition used), instead of suppressing that statement, as an inconvenient fact which clashed with the reading of the Tintern Chronicle in his *Monasticon*,  
and

<sup>1</sup> It is assumed in the text that the words are those of Caradoc, and not an interpolation of his translator. They may have been found in the manuscript he used, but in the *Brut y Tywyfogion*, as published under the authority of the Master of the Rolls, the name is simply Gilbert Fitz-Richard (Gilbert nab Rickert). The chronology confirms that of the later edition of Powel.

and substituting his creation as Earl of Pembroke, twenty-four years after the real date of his death. It is this unfair use of his authority—if the author had been one less entitled to respect, for his amazing industry at least, if not for his accuracy, we might have been tempted to use a harder word—which has led to most of the difficulties of the Clare pedigree, and to all sorts of expedients for reconciling facts and dates with the supposed relationship of brothers between Walter de Clare and Gilbert Strongbow, Earl of Pembroke. Hence the statement in more than one paper of Mr. Wakeman that Richard de Bienfaite died in 1114, which was the date of the death of his son. Hence the confusion by Dugdale himself between Richard de Bienfaite and Richard, his grandson, in describing in relation to the former, the circumstances of the death of the latter, at the pass of Coed Grono (to be hereafter related in its proper place), a mistake which has been followed by Sir R. C. Hoare in his note to the account by Giraldus Cambrensis of that event (*Itin.* ch. iv), and in his own *Journal of a Tour in Ireland* (p. lxxv), though the occurrence took place, according to Dugdale's own shewing, seventy years after the battle of Hastings, at which Richard de Bienfaite could have been no stripling, and a century after we meet with the first mention of him flying with his brother, after the murder of their father, to Baldwin, Count of Flanders. To the same original error may be traced the further mistake of Dugdale, who at the same page, while correctly shewing in his pedigree two Walters, one the son of Richard de Bienfaite, and the other the son of Gilbert of Tonbridge, attributes the foundation of Tintern to the latter.

WE shall presently see grounds for forming an opinion whether the mention of the elder Gilbert as Earl of Strygill by Caradoc, or his translator Llancarvan, ought to be passed over as a mistake arising from a confusion between two individuals, or treated as evidence of a fact hitherto unnoticed: but we may observe at the outset that there is at least a possibility that there is here no mistake, so far as Caradoc's statement goes, and in the face of the confirmatory evidence afforded by Badaron's Charter, we need not go out of our way to impute one. It may be that Gilbert of Tonbridge, the father, as well as Gilbert Strongbow,<sup>1</sup> the son, was recognized among his contemporaries

as

<sup>1</sup> It will be observed from what is above written, and passages to be hereafter quoted, that there are grounds for assigning the name of Strongbow to both father and son: but to avoid confusion it may be well to mention that wherever we speak of Gilbert Strongbow, Gilbert, Earl of Pembroke, is intended.

as an earl, though the fact has been lost sight of by subsequent writers. The title given to him in Badaron's Charter—"Gilbert the Consul," as Mr. Wakeman, instead of the usual rendering, gives it in English, is worth notice. *Consul* and *Consulatus* are said to be equivalent to *Earl* and *County* (see Kelham's *Domesday*, Explanation of Terms, § v); and Bracton (lib. 1, ch. 8, § 2), after giving a derivation of the word "comites," adds "qui etiam dici possunt consules, a consulendo; reges enim tales sibi associant ad consulendum et regendum populum, &c." If the word, when it first came into use (as to the later use of it there can be no question) was a precise synonym for "comes," so much the better for the argument in favour of Gilbert's title of Earl of Striguil; if not, may it not have been at all events a title of dignity equivalent to "comes" minus his "comitatus," or administration of a county? Richard de Bienfaite's Norman title of Count may have been considered as having passed with his Norman possessions to his son Roger; and though Gilbert inherited the vast possessions of the family in England, there was not among them an English earldom, if the administration of a county, or a revenue derived from its pleas, was a necessary incident to one. That it was so is, however, denied in the "Report of the Lord's Committee on the Dignity of a Peer" (3rd Rep., p. 256); and if, by virtue of his father's rank, Gilbert was, by courtesy or otherwise, reputed as an earl, under the novel circumstances attending the separation of Norman and English estates and honours, he would at this period be called indiscriminately Earl of Tonbridge, of Clare, or of Striguil, if he had residences or possessions in all those places. Among the Normans, previous to the Conquest, the ordinary title of nobility was that of Count. Their system of surnames was to connect the christian name of the son with that of the father by the word "filz" or "fitz," as the Welsh did by "ap" or "ab," the name of the residence, or principal possession, being frequently added to the name of the individual for the purpose of distinction. Nobles were usually spoken of by their christian names, with the addition of "Comte," in Latin "Comes," and in English translated indifferently "Count" or "Earl." The Saxon Earls were men of official rank, charged with the administration of the shires into which England had from an early period been divided. In a very few instances, such as that of Waltheof, Earl of Northampton, whom we had occasion to mention in connection with the Norfolk Rebellion, they were continued in their office by the Conqueror: but generally speaking they were replaced by Normans, and the title, whether belonging to Saxon or Norman, was treated as equivalent to that of the Norman Count, and was translated



translated into the same word *comes*. His shire became a county, *comitatus*, and his subordinate officer, the Shire-reeve or Sheriff, was *vice-comes*. The grant of the administration or nominal administration of a county, with its incident revenue, which usually consisted of the third penny of the pleas arising therein, conferred the dignity, which was sometimes passed *sub silentio* as a matter of course, sometimes expressly mentioned, and sometimes stated as a necessary consequence of the grant by some such words as "unde comes est." Hence the word "*comitatus*," which is too often loosely translated "county," bears, according to its context, various significations. It may mean (1) the local limit of jurisdiction, in the sense of our modern county, or (2) the jurisdiction itself, that is to say the office of the comes, or (3) the personal status and dignity of a Norman Count, or English Earl—in other words an earldom in its modern acceptation—in addition to which it has sometimes a fourth meaning, namely lands and lordships granted to maintain the dignity of the earldom, to be held *sub honore comitali* and inseparable from the dignity. Among the Normans the number of counts was unlimited: and while Normandy and England acknowledged the same sovereign, and the rank held in one country passed current in the other, it mattered little whether the holder was considered as deriving it from a Norman or English source. But when this unity of the sovereign title ceased, it would have been a preposterous restriction of the rights of the English King, as the fountain of honour, to limit the number of his earls to that of the English counties, the administration of which, except as regards counties palatine, had become nominal: and hence, as early at least as the reign of King Stephen (and possibly much earlier, if the cases of Arnulph de Montgomery and Roger de Poitou were really creations of English dignities), there arose the practice of creating titular earls, or pseudo-comites as they were called by the chroniclers of the time, that is to say, nobles holding the status, rank, and privileges of Norman Counts or English Earls, but unconnected, even in form or title, with the administration or revenues of English counties. Let us see now how these various classes would be described. "Earl William," with whom we began the history of the Lords of Striguil, was also frequently distinguished by his patronymic of "William Fitz-Osbern," or, by the name of his principal Norman possession, as "William de Breteuil." He was also "William, Earl of Hereford;" and in this case, the earldom being derived from the administration of an English county, it is difficult to accept the title in any other sense than that which attaches to it in modern times, that is to say, that the preposition connects

"Hereford"

"Hereford" with "Earl" rather than with "William." But compare the case of the first Richard Fitz-Gilbert; he was Count of Brionne, and was also known as Richard de Bienfaite, from one of his Norman possessions. In England he was known as "Earl Richard," or "Earl Richard Fitz-Gilbert," or "Earl Richard of Tonbridge," or "of Clare," which latter designation he adopted so completely that it ripened into a surname for his posterity. But he was not "Earl of Clare" in the modern sense of the title. In English we can make the distinction by saying "William, Earl of Hereford," and "Earl Richard, of Clare:" but it must be remembered that almost all the mention we have of these titles is in Latin records and chronicles, in which "Gulielmus Comes de Hereford" and "Ricardus Comes de Clare" would be the form in each case, or if the words were transposed it would not alter the sense. It is considered by the best antiquaries, and in fact may be treated as having been authoritatively decided by the reports of the Lords' Committee on the Dignity of a Peer, that these local additions to the title of an earl were matters of personal description only, and not the names of a dignity: and according to this view the style used by Caradoc of Llancarvan, and those of "Comes de Striguil," "Comes Gilbertus de Strigiell," and "Gilbert Counte de Strogoil," which we shall meet with in future pages, though important as indicating Striguil as the residence of the earl and the head of his lordship, are not evidence of an earldom of Striguil as a territorial title.

WE have gone into the question of these titular earldoms at greater length than may seem material to our immediate purpose, because the subject will again cross our path in the course of our memoir, in relation to the indiscriminate use of the title of Earl of Pembroke or of Striguil: but we have only to observe in relation to Gilbert of Tonbridge, that the attribution of the title to a person, of whom, except from the evidence here stated and some incidental allusions to be noticed as occasion may arise, we have no record as an earl, even of the pseudo-earldom of Striguil, and the facts of his acquiring some of the possessions, and completing the work of Roger de Montgomery, and of his leading the van, as stated by Dugdale on the authority of Caradoc of Llancarvan, in the King's Welsh campaign—a position which, both before and after this date, we find associated with the office of Marshal—are significant in relation to the speculation ventured on above with regard to that office. The remarks on that subject at the conclusion of our last chapter, though they would point to an improbable result if applied to Walter de

de Clare, would be quite applicable to his elder brother Gilbert, who, both from his position as representative of his powerful family, and from what we know of his personal history, seems to have been in all respects a person of immeasurably greater mark and military eminence, and as likely as any of the other persons conjecturally named to have been selected from the English nobility to fill the office of Marshal. As early as 1088 we read of him in the Annals of Henry of Huntingdon and Florence of Worcester, taking part in the revolt in favour of Robert Curthose, and defending the Castle of Tonbridge against William Rufus, but wounded and forced to surrender it, and making his peace with the King. The latter author speaks of Tonbridge as Gilbert's own castle: but his father was living, and probably at that time in Normandy, as we hear of him a couple of years later taking part in the affairs of that Duchy, imprisoned by Robert de Belesme, and probably dying there, unless there be more warrant for Mr. Planché's statement to the contrary than we have given him credit for. We also meet with Gilbert as implicated in the Mowbray Conspiracy of 1095, but repenting just in time to warn the King of an ambushade, and falling on his knees to claim a pardon, which he accordingly obtained, and remained faithful to William Rufus during the remainder of his reign. If he succeeded to the position of Arnulph de Montgomery, whose forfeiture, it will be remembered, was in 1102, the question mooted in the preceding chapter whether he and Roger de Poitou were or were not earls has a direct bearing on our subject, and suggests an additional possible reason for Gilbert being reputed as one.

WE have then some notice of Gilbert de Clare of Tonbridge, in the capacity of Lord of Striguil, at about the same time as we have the first notice of his brother Walter, as Lord of Caerwent—a description which inferentially contradicts the fact of his holding the higher position of Lord Marcher of Striguil. What can be more probable than that the younger brother was one of the elder brother's feudatories, or mesne lords, and held Caerwent by way of sub-infeudation from the Lord of Striguil, wielding his brother's military power in this neighbourhood, while the latter led the forces raised in his more important possessions in the eastern counties? A feudal lord, how vast soever his possessions, could advantageously retain only a small portion of them in his own demesne. The rest was granted, in larger or smaller estates, to mesne lords, who were bound to bring a stipulated force to fight under his banner, and in their turn sublet their lands in smaller portions

portions in consideration of similar services rendered to enable them to perform their own. This was the natural and usual mode of providing for the younger branches of noble families; and who was so likely to stand in this relation to the head of the house of Clare as his brother Walter? It may be that the statement of Henry I having granted to Gilbert permission to make conquest of the territory of Cadogan ap Blethyn was only the Welsh Chronicler's mode of expressing the grant of a Lordship Marcher, to which a licence to conquer lands in Wales would be an ordinary incident, and that this is in fact the very grant of the Lordship Marcher of Striguil of which we have been in search. But apart from this construction the statement by no means implies that Gilbert's conquests in Cardigan were his first Welsh possessions; on the contrary, a private enterprize of that nature would scarcely have been undertaken without some such base of operations as territory in the Marches would afford.

WE have arrived then at this singular result, that our refutation of the evidence on which Richard de Bienfaite has been treated as Lord of Striguil has enabled us, by an entirely different route, to trace back the ownership of it to his eldest son, with so much doubt as to the period and mode of his acquisition of it as to admit the possibility that he may have inherited it along with his father's English estates. That Richard de Bienfaite should have been Lord of Striguil, and even Marshal of England, and transmitted the estate and office along with his English possessions to his heir, is quite consistent with all that is above written—but it rests on conjecture and not on evidence. The observations in the early part of this chapter are not to be understood as an attempt to refute his claim, except as a deduction from the evidence of the confirmation charter to the Abbey of Corneilles. A possible argument in favour of his ownership, as an inference from his connection by property with the immediate neighbourhood, may be founded on the fact (if it be one, as alleged in Mr. Wakeman's paper on the Town, Castle, and Priory of Usk<sup>1</sup>) of his having been the grantee of the Lordship of Usk after the death of Turstin Fitz-Rolf, named in the passage we have quoted from Domesday, as the holder of lands between Usk and Wye, and beyond Usk, which were no doubt part of the forfeited estates of Roger de Breteuil. It is far from clear, however, that Richard de Bienfaite was such grantee; the fact seems to rest on an infleximus charter of Elizabeth de Burgh, confirming a previous one of

" Comes

<sup>1</sup> Journal of the Archæological Association, vol. x, p. 258.

"Comes Ricardus filius comitis Gilberti" (whom Mr. Wakeman identifies with Richard Strongbow), coupled with a rather loose statement in Dugdale and Tanner, that the nuns "accounted Sir Richard de Clare and Sir Gilbert, his son, Earls of the Marshes, for their founders, and prayed for them as such." Certainly if there be no mistake as to the relationship of these reputed founders to each other, and unless we shall see reason for attributing the charter to a later period than any contemplated by Mr. Wakeman, they must have been Richard de Bienfaite and Gilbert of Tonbridge: for their descendant, Richard Strongbow, the alleged grantor of the charter, was the son, but not the father, of a Gilbert; and though Richard of Tonbridge was both the son and father of a Gilbert, his son, as we shall see presently, did not succeed to his estates in Gwent, and is not likely to have been a founder of Usk Priory. But there is room for suspecting that in naming the reputed founders in the order in which they may have appeared in the obituary calendar of the Priory, the mistake may have been made of transposing the names of father and son: for if Richard Strongbow was the grantor of the charter, his ample grant, which, though it refers to gifts of his ancestors, bears no trace of being merely a confirmation charter, shews that if he was not prayed for as a founder, he ought to have been; and that the nuns knew so little of their benefactors that their information is of little value. We may observe in passing that if the founders of Usk Priory are correctly identified with Richard de Bienfaite and Gilbert of Tonbridge, here is again evidence of the latter being known as an earl. All this however rests on the assumption that the grantor of the charter has been satisfactorily identified with Richard Strongbow: but the sole evidence of it is the name of one of the witnesses, his brother-in-law Raymond Fitz-William Fitz-Gerald, whom we shall have to mention again in our next chapter under the name of Raymond le Gros. He is one of thirteen witnesses. Two others, Ralph and Walter Bloet, bear a surname, which, if Dugdale be correct in stating (Bar. i, 361) that Walter Bloet had a grant of Raglan from Earl Richard, son to Earl Gilbert, temp. Henry II, (but the date and consequent identity of this Richard also are subject to verification<sup>1</sup>),  
might

<sup>1</sup> This charter to Walter Bloet is mentioned by Mr. Clark in one of his papers on the Land of Morgan, printed since the above was written (Arch. Jour. xxxv, 330) and he assumes the grantor to have been Richard de Clare, first Earl of Hertford, the ancestor of the Earls of Gloucester. I have great confidence in the general accuracy of Mr. Clark, but like Homer, he occasionally indulges in the proverbial nap, and in the same page as that above cited, he makes Isabel, who married William Marshal, Earl of Pembroke, the daughter of Richard, fourth Earl of Hertford, whereas if there be a point, which, beyond all others in the history of the family is free from doubt, it is that she was the daughter of Richard Strongbow.

might naturally occur among the witnesses to a charter from him or any lord of Usk of later date. The rest, with two notable exceptions, are either undistinguished and undistinguishable persons, such as Geffard the chaplain, and Nicholas the clerk, or bear names which, though unknown to the writer, may enable future enquirers, better acquainted with the genealogy of the neighbourhood, to compare Mr. Wakeman's theory with that now proposed. The two exceptions alluded to are the Countess Isabel, and Isabel, her daughter. Who were they? They were no connections of Richard Strongbow. The suggestion here offered, though admitted to be not free from difficulties, is that the grantor of the charter was Richard de Clare, sixth Earl of Hertford and second Earl of Gloucester of his family, who succeeded his father, Gilbert de Clare, in 1230, but did not attain his majority till at least seven years later<sup>1</sup>—that the Countess Isabel was the grantor's mother, Isabel, third daughter of William Marshal, Earl of Pembroke, and grand-daughter of Richard Strongbow—that the other witness was his sister, Isabel, who married Robert Bruce, the competitor with Baliol for the Scottish crown—and that Earl Gilbert, his son, correctly described as regards his relationship by the nuns of Usk, was Gilbert, seventh Earl of Hertford and third of Gloucester, father of Elizabeth de Burgh, the grantor of the confirmation charter. At the period of this Richard's possession of his estates it is possible that Raymond le Gros was still living. All we know of his age is that, according to Giraldus Cambrensis, he was a young man of Richard Strongbow's household when first sent to Ireland with ten men at arms and seventy archers in 1170—a command which might have been entrusted to a boy—and that he was first cousin to Giraldus himself, who is believed to have died in 1223. That there was another Raymond, whose father and grandfather bore the same Christian names with those of Raymond le Gros would indeed be a violent presumption: but even that (if his death were shewn at an earlier period than is consistent with our theory) would be worth weighing against the rejection of all the links which seem to connect the Usk charter with the Earl of Hertford and Gloucester. All the information given by Dugdale and Tanner as to the date of the foundation of Usk Priory is that it existed previous to 1236. If founded or further endowed by Richard Earl of Hertford and Gloucester while his mother was living, as is evidenced by her being a witness of the charter, it follows that

<sup>1</sup> According to Mr. Clark (*The Land of Morgan*, *Archæol. Journal*, vol. xxxvi, p. 117) he was born, 4 August, 1222, and therefore a little over eight years old at his father's death, 25 Oct., 1230, and consequently did not attain his majority until after his mother's death.—ED.

that his lordship of Uſk was not derived from her, and through her from Richard Strongbow<sup>1</sup> and the Marſhals, but was part of the grantor's paternal eſtates. In fact his mother died in 1240, long before the Marſhal eſtates became diviſible among the coheirs on failure of the male line. Some evidence might be adduced tending to the concluſion that he derived it from his paternal grandmother, Amicia, daughter of William, Earl of Glouceſter, by whoſe marriage that earldom and the lordſhip of Glamorgan paſſed into the Clare family: but the diſcuſſion of this would lead us too far away from our immediate ſubject. A difficulty in the way of our attribution of the charter appeared at firſt to preſent itſelf in the general words of the grant, which compriſe "all franchises and tolls (cum omnibus libertatibus et conſuetudinibus) throughout my burgh of Uſk, or in *Strugull*:" but it appears from Dugdale (Bar. i, 536) that William Earl of Glouceſter granted to the monks of Goldcliff an exemption from toll throughout all his lands in England and Wales, namely Briſtol, Cardiff, Newport, Caerleon, and Chepſtow. The alluſion may therefore be to the paſſing toll mentioned in Domeſday Book as belonging to William de Ow, which may poſſibly have been acquired by this earl by a title quite diſtinct from any connection with that of the Lordſhip Marcher. It is ſubmitted that theſe conſiderations furniſh ſerious grounds for doubting the fact of Uſk having been a poſſeſſion of Richard Strongbow, whether it had or had not at any time previously been the property of any of his anceſtors. Whether it is neceſſarily comprized in the deſcription of ſeventeen carucates of land between 'Uſk and Wye, and ſix carucates beyond Uſk, is a point on which I muſt defer to the local knowledge of Mr. Wakeman. He gives no other authority than that above quoted for his ſtatement as to the grant of the lordſhip of Uſk, though he builds upon that fact, and the ſuppoſed identity of Richard Strongbow with the grantor of the charter, the whole hiſtory of the foundation of the Priory, and the deſcent of the lordſhip down to the middle of the thirteenth century: and he has fallen into the two miſtakes already corrected of poſt-dating the death of Richard de Bienfaite by twenty-three years, and ſpeaking of "Gilbert Strongbow, alias de Tonbridge, who died in 1142," as his ſon. If he means the Gilbert whom we have called Gilbert de Clare of Tonbridge, the date

of

<sup>1</sup> According to Giraldus, cited in Lee's *Ifca Silurum*, p. 141, Howel ap Iorwerth of Caerleon was wounded in an attack made by the Normans on his Caſtle of Uſk and died in conſequence ſoon after, probably about 1178. This was two years after the death of Richard Strongbow and furniſhes a ſtrong argument againſt Uſk having been one of his poſſeſſions.

of his death was 1114, or possibly 1116: if he means Gilbert Strongbow, Earl of Pembroke, he died in 1148, and was not the son of Richard de Bienfaite. The connection however between the history of Usk and that of Striguil is so slight and incidental that, beyond the expression of a grave doubt as to the grant to the first Richard of the lordship of Usk on the death of Turstin Fitz-Rolf, we will not raise a collateral issue by disputing it, provided only that that event be not shewn to have taken place later than 1091. But apart from the evidence, such as it is, the antecedent probability of Richard de Bienfaite's ownership is not strong. Nothing occurred between the date of Domesday and the death of Roger de Montgomery, who survived him for several years, to furnish an occasion for a change in respect of the marshalship and the ownership of Striguil. In September, 1087, the Conqueror died, and about six months afterwards Richard de Bienfaite's eldest son was in rebellion against William Rufus.

By grant or by inheritance then, we have evidence that Gilbert of Tonbridge was Lord of Striguil. He had by his wife, Eliza., daughter of the Count de Clermont, five children—Richard and Gilbert, of both of whom we shall have a good deal more to say; Walter,<sup>1</sup> confounded by Dugdale with the founder of Tintern; Baldwin, one of the foremost knights in the service of King Stephen; and Rohais, omitted by Dugdale altogether, but whose marriage with Baderon, Lord of Monmouth, has already furnished us with such valuable evidence of Gilbert's ownership.

ON his death his estates passed, in the lifetime of his brother Walter de Clare, and in the ordinary course of descent, to Richard, his eldest son. He was the founder of Tonbridge Priory, from which circumstance, and to distinguish him from Richard Fitz-Gilbert of Bienfaite, his grandfather, and from Richard Strongbow, his nephew, it will be convenient to designate him, as his contemporaries did, as Richard Fitz-Gilbert or de Clare of Tonbridge. He succeeded to all the power and influence of his father, and obtained, at a date not ascertained, but no doubt in the reign of Henry I, the earldom of Hertford. By whatever means he acquired them, it is certain, as evidenced by the confirmation charter to the Abbey of Corneilles, that this Richard in the reign  
of

<sup>1</sup> Probably this is the Walter de Clare mentioned by Ordericus Vitalis (B. xiii, c. 26) as taking part in the defence of the church tower of Sap for King Stephen in 1136: but the date is consistent with the founder of Tintern being the person referred to.



of Henry I held lands between Usk and Wye, named in immediate connection with the church and tithes of Striguil: and from the terms in which he is spoken of by the chroniclers he was evidently a person of great territorial power and influence in Wales. The mention of the tithes of Striguil suggests another argument in favour of our position. "Though every man," says Blackstone (Com: B. ii, ch. 3), "was obliged to pay tithes in general, yet he might give them to what priests he pleased . . . . and a layman, who was obliged to pay his tithes somewhere, might think it good policy to erect an abbey, and there pay them to his own monks, or grant them to some abbey already erected; since for this dotation, which really cost the patron little or nothing, he might, according to the superstition of the times, have masses for ever sung for his soul." If Richard de Clare of Tonbridge had derived his estates in Gwent from his uncle Walter, he would surely have paid his tithes to his uncle's abbey of Tintern, and found there a place of sepulture for himself, on the principle that "Ubi quis decimas perfolvebat vivus, ibi sepeliatur et mortuus": instead of which we find him buried in Gloucester, as related by the continuator of Florence of Worcester, and appropriating his tithes to William Fitz-Osbern's abbey of Corneilles. This is a fact of some importance in confirmation of the view of his ownership of Striguil by an independent title in the lifetime of Walter de Clare, who, according to the dates we have adopted, survived him about two years. The continuator of Florence of Worcester (ed. Franc. 1601, p. 666) gives the date of Richard's decease very precisely as 17 cal. Maii (15 April) 1136, speaking of him as "the noble and amiable Richard Fitz-Gilbert," and relating how he fell into an ambush and was slain in a "vast inroad by the Welsh, in which there was grievous destruction far and wide of churches, towns, crops, and cattle, the burning of castles, and the slaughter, dispersion, and sale into foreign lands of numberless persons, rich and poor." The history of this rising, given under the date of 1135 by Caradoc of Llancarvan (p. 157, ed. 1774), has a noteworthy passage that the Welsh conquerors "restored all the former inhabitants to their proper inheritances, discarding all such strangers as the *late Earl of Strygil* had placed in the country." This notice of him and the mention in several places at p. 147 of "Earl Gilbert," shew that the attribution of the title to Gilbert of Tonbridge by this author, in a passage already cited, was not an accidental confusion of two persons, but a deliberate statement entitled to its due weight of authority. Two other accounts of Richard's death deserve to be cited, one for the geographical information afforded, and the other for its circumstantial

circumstantial relation of the facts. The Itinerary of Giraldus Cambrensis, here quoted from Sir R. C. Hoare's translation, chap. iv (p. 365 Wright's edn. 1863), after describing a mountain route between Brecknock and Abergavenny, says "it happened, a short time after the death of King Henry I, that Richard de Clare, a nobleman of high birth, and Lord of Cardiganshire, passed this way on his journey from England into Wales, accompanied by Brian de Wallingford, Lord of this province, and many men at arms. At the passage of Coed Grono, and at the entrance into the wood, he dismissed him and his attendants, though much against their will, and proceeded on his journey unarmed from too great a presumption of security, preceded only by a minstrel and a fiddler, one accompanying the other on the fiddle. The Welsh, awaiting his arrival, with Jorwerth, brother of Morgan of Caerleon, at their head, and others of his family, rushed upon him unawares from the thickets, and killed him and many of his followers." The anonymous but contemporary author of the Chronicle of which a fragment has reached us under the title of *Gesta Stephani Regis Anglorum*, &c., and here quoted from Mr. Forester's translation, appended to his edition of Henry of Huntingdon (p. 330), says "there lived at that time in Wales one Richard Fitz-Gilbert, a man of distinguished gallantry, surrounded by wealthy kinsmen and vassals, possessed himself of vast domains and numerous castles, who kept all his neighbours in check by leagues to which they were bound by hostages, so that the country became so peaceable and affluent that it might have been easily taken for a second England. This man, having demanded of the King some great favour which was refused him, departed, it is said, with the intention of commencing hostilities. On his entering Wales with a large retinue he was waylaid and slain by the Welsh, his escort escaping. It becoming bruited abroad that the greatest man in Wales had fallen, the people of several districts, assembling in great numbers, entered his territories, and being divided into three bodies in military order, these foot soldiers attacked Richard's horsemen, who, joined by others who came to their aid from the neighbouring towns and castles, made a force of 3000 men. The attack being made in three quarters, they were defeated by the insurgents, who pursued them, shouting, and pouring in flights of arrows. Many were miserably slain, some were driven into a river and drowned, and others were burnt in churches and houses. The whole district thirty-six miles in extent was overrun and plundered till nothing was left. The old were exposed to death or derision: the young of both sexes were bound and dragged into slavery. They stormed the castles of some barons

barons, and closely beleaguered others, under whose yoke they had hitherto bowed, but over whom they now lorded in turn. One of Richard's castles, which was impregnable fortified, and in which his wife, the Earl of Chester's sister, had sought shelter, was closely invested. She, deprived of her husband's protection, with the despondency of her sex, was tortured with anxiety. Thus strictly enclosed and short of provisions, for numerous bands of the enemy patrolled the country, and without hope of relief she was worn out with grief and care. But still holding out, when her immediate neighbours were unable to offer her any assistance, Milo, who was Lord of Gloucester, and afterwards obtained an earldom rather by his crafty genius, than his right of inheritance, devoted himself and his followers to the peril of effecting her release. He was impelled to undertake it as much by compassion and his natural feeling for the distressed lady as by the King's command, who had written to enforce the enterprise. Tracking his way therefore through the enemy's posts, among the gloomy recesses of the woods and over the mountain tops, he resolutely approached the besieged castle, and withdrawing the lady and her people in safety, returned triumphantly to his own territories."

THE lady just referred to was Adeliza, daughter of Ranulph de Meschines, Earl of Chester, by whom Richard Fitz-Gilbert of Tonbridge was the father of an illustrious line, Earls of Hertford, and eventually of Gloucester: but they did not succeed him in the inheritance of his lands in Netherwent, or elsewhere in Wales. By what means they passed out of the direct line of descent to Gilbert Strongbow, the brother of the last possessor, must remain an open question. Of the fact there is no doubt; and with this fact we emerge from the uncertainties in the history of the early Clares as Lords of Striguil.

## CHAPTER III.

## THE YOUNGER BRANCH OF THE CLARE FAMILY, EARLS OF PEMBROKE.

**I**T will scarcely have escaped notice that so far our history of the Clares, as lords of Striguil, has been to some extent traced backwards. It has been done advisedly, in order to obtain a hearing by approaching the difficulties of the subject from the same point of view with those who, being familiar with the hitherto accepted account of the early Clares, might have attributed to ignorance of well known facts any history of the devolution of the Lordship Marcher which ignored the title of Walter de Clare or even of Richard de Bienfaite. But here, having arrived at a period when all historical claims of the Clares had centred in one individual, unquestionably Earl of Pembroke, Marshal of England, Lord Marcher of Striguil, and head of the younger branch of the Clare family, it will be convenient to recapitulate the conclusions to which the enquiry seems to tend, without distinguishing in this short epitome which of them are offered as proved, which as probable, and which only as conjectural. Our position then is:—

1. THAT the Lordship Marcher of Striguil was held successively by William Fitz-Osbern and his son Roger, until the forfeiture of the latter, by grand serjeanty, by performance of the office of Joint Marshal of England.
2. THAT from the forfeiture of Roger Earl of Hereford to at least the date of Domesday, and long after grants had been made to various persons of other parts of the forfeited estates, Striguil Castle, as the Caput Baronizæ, remained in the King's hands, the office of Marshal being held by Roger de Montgomery, who had become sole Marshal by Roger de Breteuil's forfeiture.
3. THAT at a date probably between the treason and forfeiture of Roger de Montgomery's sons, in 1102, and Bishop Urban's episcopacy, in 1107, the

the Castle and Lordship Marcher of Striguil were granted to one of the Clares, in grand serjeanty, with the office of Marshal of England.

4. THAT it is possible—and if Richard de Bienfaite, who died about 1091, had a grant of the Lordship of Ufk after the death of Turstin Fitz-Rolf (on which no opinion is offered), it is rendered more probable—that he, and not his son, was the first grantee of the Clare family; but that, according to the evidence at present forthcoming, the probability is in favour of the latter.
5. THAT Richard's eldest son, Gilbert of Tonbridge, either inherited the Lordship Marcher of Striguil with the accompanying marshalship from his father, or obtained them by grant to himself—was engaged in Welsh Conquests at least as early as 1107—led the van of the King's army in 1111, or 1113—and died in 1114 or 1116.
6. THAT, like his second son and grandson, he was known to his contemporaries, though not generally to posterity, by the surname of Strongbow, and either in right of his father's rank as a Norman Count, or otherwise, was reputed as an earl, taking his title from his Lordship of Striguil.
7. THAT he granted the Lordship of Caerwent, by way of subinfeudation, to his younger brother Walter, who extended his possessions by encroachment on church lands previous to the accession of Bishop Urban in 1107, founded Tintern Abbey on part of them in 1113, and died without issue in or about 1138, but was never Lord of Striguil.
8. THAT Gilbert of Tonbridge was succeeded, as Lord of Striguil and Marshal, by his eldest son, Richard, founder of Tonbridge Priory, and eventually Earl of Hertford, who granted the tithes of Striguil to the Abbey of Corneilles, and was slain by the Welsh, in 1136, in an insurrection by which he and his family were temporarily dispossessed of the bulk of their Welsh possessions, and that either under his will, or by arrangement with his heirs, or by other means unascertained, Striguil was relinquished or lost by them, and became the property of his brother, Gilbert Strongbow.

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9. THAT two years afterwards, on the death without issue of Walter de Clare, his possessions in Netherwent escheated to the Lordship of Striguil, of which they were held : and that Gilbert Strongbow, as a younger son, being the first Lord of Striguil who had not, by right or by courtesy, the title of earl, was created Earl of Pembroke, being, according to the usage of the period, known indifferently by that title or that of Earl of Striguil.

THE uncertainty admitted in the 8th Proposition will appear the weak point in the theory : but it must be remembered that so far from its being a difficulty peculiar to the view now for the first time set forth, it applies with double force to the deduction of title hitherto accepted, which leaves unaccounted for the mode in which Walter's lands, as well as Richard's, were acquired by Gilbert Strongbow, who was not the heir-at-law of either. By what means the lands of Richard de Clare of Tonbridge passed, to the exclusion of his own issue, to his brother Gilbert, whom we will distinguish as Gilbert Strongbow, Earl of Pembroke, is not known ; nor is it known, except from the facts to which attention is now called, whether Striguil Castle and Lordship Marcher were part of them, or passed direct to him, as has been assumed by all previous writers, from his uncle Walter. The desperate condition in which Richard Fitz-Gilbert's Welsh possessions (if possessions they can be called at this period) were left at his death, required nothing less than a reconquest. His son and heir, also named Gilbert, was Earl of Hertford, and had vast possessions in the eastern counties, but none in the west, except the lands in question in Wales and the Marches : for it must be remembered that it was not until a generation later that the Earldom of Gloucester, with the Lordship of Glamorgan, passed by marriage to this, the elder branch of the Clares ; and their still later acquisition of Caerleon and other lands in Gwent and Gower, by means which we may have to notice in the course of our memoir, was an accident unconnected with the transaction we are now endeavouring to trace. Under these circumstances it may be that on the death of Richard Fitz-Gilbert, his son and representative, Gilbert, second Earl of Hertford, was induced to abandon the *damnosa hæreditas* to his uncle, Gilbert Strongbow. Nothing is known of the age of the former at his father's death, and he may have been in ward to the King, who seems to have interposed in the matter : for we read in the *Gesta Stephani Regis* that on the death of Richard Fitz-Gilbert Stephen not only

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sent Milo of Gloucester to succour the widow, as related in the preceding chapter, but sent Baldwin Fitz-Gilbert to carry relief to his brother's territories, who advanced as far as Brecknock, but abandoning himself to gluttony and sloth, eventually withdrew in disgrace. After this failure it seems a reasonable conjecture, though we have no record of the fact, that the King may have entrusted a similar commission to Gilbert Strongbow: and if, after reconquering his brother's territories, he retained possession on his own account, and procured the royal confirmation even adversely to his nephew, the transaction, at this unsettled period, would not much shock public opinion. It might have been conjectured that Gilbert the son was deprived of his inheritance in consequence of his having, under the influence of his maternal uncle, Ranulph Gernouns, Earl of Chester, espoused the cause of the Empress Maud; but this supposition is met by the fact of his having clearly been in possession of his castles and estates in the eastern counties. Another possible explanation of Gilbert Strongbow's succession to the estates in Netherwent is that the arrangement may have originated with Richard of Tonbridge himself. The devise of real estate, as we have already had occasion to observe, was not one of the rights incident to feudal tenure at this period: but something very like it may have existed in practice, perhaps enabling the feudal lord to grant livery at his option to the heir-at-law or the heir designated by will, if indeed public opinion did not compel some regard to the wishes of a testator. The arrangement, so common among the Conqueror's contemporaries, of dividing their Norman and English possessions so as to found separate families in the two countries (of which practice William Fitz-Osbern's division of his Norman and English lands between his sons William and Roger, that of Roger de Montgomery between his sons Hugh and Robert, and that of Richard de Bienfaite between his sons Gilbert and Roger, were three instances which we have already had occasion to notice) is difficult to account for except on the supposition of some such rule or usage, unless it be that at this period the admission of the heir of a tenant in capite to homage was less a matter of course, and more in the discretion of the sovereign, than is generally supposed. It is possible therefore that Gilbert Strongbow may have derived his title from some such quasi-testamentary disposition as to lands acquired either from his brother Richard or his uncle Walter, or both. But if the position be well founded that Gilbert of Tonbridge and his son Richard were successively lords of Striguil, and that Walter de Clare held his lands of that lordship by way of subinfeudation, the

the double question of Gilbert Strongbow's titles is narrowed to the single one of how he acquired Striguil: for Walter's lands, on his death without issue, would, on this supposition, as is suggested in the propositions at the commencement of the present chapter, devolve on the Lord of Striguil by escheat.

NECESSARILY leaving this question unsolved, we have the evidence of the Tintern Chronicle that Gilbert Strongbow was the owner of these lands for ten years from about the year 1138, to which date, in the early years of Stephen's reign, is assigned by all writers Gilbert's creation as Earl of Pembroke, and in his hands at all events Striguil and the possessions which subsequently devolved with that title, whether derived from his uncle Walter or his brother Richard, or acquired by grant to himself, became united, and with them, whether by tenure of Striguil or otherwise, he held the office of Marshal of England.

A SINGULAR record of the duties and privileges attached to the office of Marshal is preserved in a document which has always hitherto been supposed to relate to Gilbert Strongbow, and which we must therefore mention in this place. It is entitled "*Les Usages que Gilbert Comte de Striguil clamoit a user par l'office Mareschalie.*" Several copies are found among the Cotton and Harleian Collections, and it is printed in Edmondson's *Heraldry* (i, 76). Extraordinary as are the usages asserted, the authenticity of the document has never been questioned, and it has been referred to as a precedent for claims by subsequent holders of the office. On the face of it, it bears the appearance of a coronation claim, as it describes very minutely the duties and privileges of the Marshal on such occasions. In the reign of Richard II, a coronation claim was made by Margaret, daughter of Thomas de Brotherton, as we shall have to notice in its proper place, "*L'estre acceptee al office de Marescalcie . . . . . fessant l'office per son depute, come Gilbert Mareschall, comte de Strogoile, fist al coronement le roy Henry II.*" This is clearly a mistake of the noble claimant, in which she has been blindly followed by Mr. Edmondson and others. There was no Gilbert, Comte de Strogoile, and no Gilbert bearing either the surname or office of Marshal, at the date of the coronation of Henry II. Gilbert Strongbow died several years before the accession of that sovereign, and as he succeeded to his brother's estates some months after the accession of Stephen, there was no coronation during his tenure  
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of Striguil. There was a nearly contemporary Gilbert Marshal, the ancestor of a family of which we shall have much to say in the course of our memoir, holding the office of Marshal of the King's House, by grand serjeanty, with the manor of Hempstead-Marshal, in Berks, but he was probably succeeded by his son John, before the accession of Henry II, and was never in any way connected with the Earldom of Striguil. It is proposed to shew that the document under notice has been incorrectly assigned to Gilbert Strongbow, and that it was really a claim of his descendant in the female line, and of a date later by a century, Gilbert, third son of William Marshal, Earl of Pembroke, whose tenure of Striguil from 1234 to 1241 embraced the period of the coronation of Eleanor, Queen of Henry III. But it will be convenient to defer the proof of this to a subsequent chapter. The only other name on which the wildest conjecture could alight is that of Gilbert of Tonbridge. If the claim could have been supposed to relate to him, it might have been adduced as further evidence in support of our position of his having held the office of Marshal and been known as Earl of Striguil: but the consequences to be deduced from this view of it, involving his tenure of the lordship marcher and office at a date previous to the accession of Henry I, are too weighty to rest on so slender a foundation; and the idea cannot be for a moment entertained. Another reason for assigning to the document the latest possible date is that the claims are such as could never have been made until precedent had had time to ripen into usage, which certainly was not the case during the tenure of either Gilbert of Tonbridge or Gilbert Strongbow: but we shall see further grounds in the internal evidence of the document itself, when we come to speak of it again, for assigning it to Gilbert Marshal. In fact the person referred to is so named in the reference to it by Margaret de Brotherton: and as her claim is in French, there is not the same ambiguity between the surname and the office as there would have been if it had been in Latin.

THE Earldom of Pembroke was conferred upon Gilbert Strongbow by King Stephen on the occasion of the revolt of many influential English nobles, in the year 1138, and for the purpose, as hinted by Ordericus Vitalis (B. xiii, c. 37) of gaining over some of his friends and connections. He lost no time in meriting the royal favour by successfully besieging Leeds Castle, in Kent, of which Robert, Earl of Gloucester, the illegitimate brother of the Empress Maud, had possessed himself. He gained less credit from his share  
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in the Battle of Lincoln, 1141; at which Stephen was defeated and taken prisoner. The first rank of the King's army, consisting of Flemings and Bretons, having given way, Gilbert, with his brothers-in-law Count Waleran and William de Warrenne, and other knights of high renown, turned their backs and fled. There is good reason for suspecting that this was an act of treachery. Ordericus says that the battle was distinguished by the most shameful treason, some of the great barons accompanying the King while they sent their vassals to aid his enemies (B. xiii, c. 43). For the credit of the family we may mention that his brother Baldwin, who took a conspicuous part in the battle, remained faithful to the last, and retrieved the reputation he had lost in his Welsh expedition.

SUBSEQUENT to this period we find Gilbert Strongbow in altered relations towards King Stephen. About 1146 the Earl of Chester, having for a time come over to his cause, attended court unsuspecting of danger, but was arrested and kept prisoner until he gave up his Castle of Lincoln, and gave as a hostage his nephew, Gilbert Fitz-Richard, Earl of Hertford. (Compare Ralph de Diceto, Twys. Scrip., 508—Henry of Huntingdon, Sav. Scrip., 225 v.—and Acta Stephani Regis, Eng. Hist. Soc., 125). The last-named authority says that this Gilbert Fitz-Richard [erroneously referred to in the margin as Richard Fitz-Gislebert—a mistake which the translator, Mr. Forester, as a final contribution to the mystification of the Clare pedigree, has followed by so naming him in his text, p. 422] had become a hostage, and had pledged his castles for the Earl [of Chester], being his nephew, and was closely kept, until, surrendering into the King's hands all his castles as his only way of escape, he joined his uncle, and disturbed the peace of the kingdom to the utmost of his power. Earl Gilbert, his uncle [that is his paternal uncle Gilbert Strongbow, Earl of Pembroke, the Earl of Chester being his maternal uncle], required these castles to be given up to him by the King, claiming them as his own inheritance: but the King not being minded to grant his request, he withdrew secretly from court, intending to separate himself wholly from the King, and, strengthening his numerous castles in that part of the kingdom, to raise an insurrection in concert with the Earl of Chester and the rest of the King's enemies, that he might obtain by arms what, according to his view, he could not obtain by justice. But the King, hearing that Earl Gilbert had privately withdrawn from court, and his hostility being manifest, readily persuaded, and the more because he had before suspected him, instantly mustered

mustered his whole force, and pursued him with all speed. "How wrongful," he said, "it is for this man, on whom I have conferred such wealth, whom I have raised from the condition of a poor knight and promoted to the highest dignity of an earldom [ad consulatus apicem honorifice provexi—an illustration worth notice of what has been said as to the word *consul*], on whom I have over and over again bestowed possessions as vast as his mind could imagine, to have now suddenly and hastily taken part with my enemies." We have noticed this incident at length in consequence of the light the narrative throws on the relations of Gilbert Strongbow with his nephew, and the claim set up by the former to even the castles, of which the latter had been in undisturbed possession. Perhaps such a claim, preferred at such a period, was only an illustration of the unsettled state of the law of inheritance, while Stephen himself was holding his throne in defiance of the hereditary right of his uncle's heir. The chronicler relates how the King took several of Gilbert Strongbow's castles, and how the latter escaped in disguise: but abruptly breaks off the narrative to relate the proceedings of Henry of Anjou, and we hear no more of Gilbert Strongbow until his death, which occurred, as has been already stated, in 1148. He was buried at Tintern.

He married Elizabeth, daughter of Robert de Beaumont, Earl of Leicester and Mellent, another descendant of Weva, the sister of the Duchess Gunnor (W. Gemet., B. viii, c. 37—Dug. Bar., i, 84). Mr. Planché (Brit. Arch. Association Jour., x, 268), without citing any authority, says she was a natural daughter of King Henry I: but this is a mistake; she had been his concubine, unless the word "*amafia*" be capable, as we fear it is not, of a more innocent meaning. It certainly does not mean a daughter, either natural or legitimate. By her, Gilbert had several children, of whom it is only necessary to mention his eldest son and successor in his earldom and marshalship, Richard, the famous conqueror of Ireland, and a daughter, Baflea.

RICHARD, like his father, took the surname of Strongbow—an early instance of a purely personal, as distinguished from a local name, becoming hereditary, even if this was the first generation in which the name descended from father to son. Mr. Wakeman, in a paper on the Town and Castle of Chepstow, printed in the Journal of the Brit. Arch. Association, x, 252, observes, certainly in too general terms, that Strongbow was a family designation common to "all the Early Clares": and we have already seen that Caradoc of Llancarvan assigns that

that surname, as well as the title of Earl of Strygill, to Gilbert of Tonbridge in 1107. On the other hand Trivet (*Annales*, p. 67, ed. of Eng. Hist. Society) attributes the name of Strangebowe to Richard, second Earl of Pembroke, whom he calls "*Comes de Strogoil, Marefcallus Angliæ*," as a personal appellation derived from his remarkable strength, stating that his arms were said to have been so long that when standing erect he could touch his knees with the palms of his hands. Whether such a deformity would conduce to strength of arm is a question for anatomists. It is not mentioned by chroniclers nearer to his own age. Giraldus Cambrensis, in his *History of the Conquest of Ireland*, Bk. i, ch. 27, gives a personal description of him, here quoted from the quaint translation incorporated in Holinshed's *Chronicle* (Ireland, p. 36, ed. 1577) modernized only in the spelling:—"This earl was of colour ruddy and freckled, with great eyes, of a feminine visage, small voice, short neck, of stature tall, and a goodly personage, liberal and courteous, and where substance wanted to show his frank heart, he supplied it with gentle words, more ready to obey than to command—at home more like a soldier than a captain—but abroad in the wars he shewed himself a captain and not a soldier. Although he never would enterprize any exploit of himself without the advice of other, being once joined in fight with his enemies, he stood as an assured standard for his people to have recourse to for their safety: and howsoever the chance of battle turned, he was ever constant and stable, neither drooping as one in despair when fortune seemed to frown, nor too joyful when she was disposed to fawn."

HE was one of the witnesses to the treaty of 7 November, 1153, by which Stephen recognized Henry of Anjou as his successor, and is therein described as Richard, Earl of Pembroke. His title was unquestioned by Henry II, one of the first acts of whose reign was to cancel many of Stephen's creations of the pseudo-comites above referred to: and the Earldom of Pembroke has always been recognised as a legitimate dignity. The anomalous position of Pembroke, as an English county and the seat of an earldom at this early date, might have been cited as an additional argument in support of the position maintained by Mr. Floyd, as noticed in a previous page, that the conquest of Cardigan and Dyved in 1093 was effected in a national war. On the death of Walter Giffard, Earl of Buckingham, in 1164, Richard Strongbow, by virtue of his descent from his great-grandmother Rohais, through whom he was one of the coheirs, acquired or assumed the title of that earldom—probably another instance

instance of the arbitrary assumption by an earl of what we now regard as a name of dignity, but then, considered as entirely optional, and intended only to indicate his acquisition or assertion of claims to lands devolving on him by such descent. He is not, however, generally known by it, nor does it appear that he was ever in actual possession of the lands, which, as we shall see, were in the following reign confirmed in equal moieties to his son-in-law, and to the representative of the elder branch of the Clare family.

It was not until about twenty years after his father's death that Richard Strongbow entered upon the career by which he made his mark in history. At this period his fortunes were at a very low ebb. By his profuse liberality and reckless expenditure, he had almost exhausted his patrimony, and had not the means of satisfying his creditors: and, to crown all, he was in disgrace at court. For some offence his lands had been seized into the King's hands, and according to Trivet, he was living in banishment in Ireland. Henry had for some time been meditating the conquest of that country, having as early as 1155 procured a papal bull sanctioning the undertaking. At this juncture, in the year 1168, Dermot McMurrough, King of Leinster, attacked by the Kings of Connaught and Meath, and expelled by his own subjects, fled to Henry II, then in Aquitaine, imploring his assistance, and offering to hold of him as Lord paramount. This was exactly what suited Henry's views, except that his hands were much too full of other business to enable him to embark in his enterprize at that time. He therefore received Dermot's allegiance and oath of fealty, and granted him letters patent addressed to all the King's liegemen, English, Normans, Welsh, and Scots, and all others subject to his dominion, assuring his favour and licence to all who would aid Dermot in recovering his territories. Furnished with these credentials, he addressed himself to Richard Strongbow, whom, according to Giraldus Cambrensis, he met at Bristol, but whose acquaintance, if Trivet's account of his exile be correct, he may have made in Ireland, and after much negotiation it was agreed that the earl should bring a force to his assistance in the ensuing spring, Dermot promising on his part to give him in marriage his daughter Eva (which seems to be the latinized form of a name which the Irish historians give as Aoife) with the succession to his kingdom. Robert Fitz-Stephen, one of Strongbow's feudatories, and Castellan or Constable of Abertivy, one of the castles commenced by Roger de Montgomery and completed by Gilbert de Clare of Tonbridge, was sent forward with his half brother, Maurice Fitz-Gerald, and a body of Norman horse and Welsh  
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foot. They established themselves in Wexford and Offory, and carried on the war with general, but not unvaried, success. Giraldus Cambrensis, who was a nephew of both Robert Fitz-Stephen and Maurice Fitz-Gerald,<sup>1</sup> and disposed to make the most of their achievements and enhance their personal importance, attributes to the former an independent enterprise, ignoring his connection with Strongbow. In the meantime the earl delayed the performance of his promise of personal assistance either from want of pecuniary means or unwilling, in his critical relations towards his own sovereign, to commit himself without an express assurance of his sanction. "Knowing himself," as Giraldus says, "neither brooked in fight nor trusted in absence, he kept still one rate in all his doings, bare a low sail, fed no quarrels, and shunned all suspicious conference." His personal assistance with his promised forces was strongly but courteously urged by Dermot, who had now all Ireland opposed to him, and in a letter, quoted at length by Giraldus, and addressed to him as "Earl of Striguil," plaintively says:—"We have watched the storks and swallows—the summer birds have come and are gone again with the southerly wind—but neither winds from the east nor from the west have brought your much desired and long expected presence." Thus strongly urged the earl "passed over to the King, beseeching him either to restore him to such lands as he withheld of his or else license him in foreign parts to seek his fortune. The King, as one that spake in scorn, bade him go forward in the name of God *so far as his feet would bear him.*" It would seem from subsequent events that this doubtful phrase was intended to entrap the earl, who, reasonably regarding it as the desired permission, raised all the forces in his power and sent forward Raymond le Gros with ten knights and seventy archers, and himself followed, collecting his forces along the coast of South Wales and embarking at Milford Haven with two hundred knights and a thousand men at arms, notwithstanding a message which indicated that the King's sanction, if ever given, was withdrawn. He arrived on the Irish coast on the 23rd of August, 1170; and on the 25th Waterford was taken and sacked; and if we are to trust the imagination of the artist to expand the flighter sketch of the

<sup>1</sup> The former was the son of Nest, daughter of Rhys ap Tudor, by her second husband Stephen Constable of Aberteivi Castle. Maurice Fitz-Gerald and Augharad, wife of William de Barri and mother of Giraldus Cambrensis, were her children by her first marriage with Gerald de Windsor. By the same marriage she had a son David, Bishop of St. David's, and another, William, the father of Raymond le Gros, to be presently mentioned, who, it may be added, married Basilea, the sister of Strongbow. Possibly the order of Nest's marriages may be misstated, as authorities differ, but the point is not material.

the historian, it was by the light of the blazing city and in the presence of the unburied dead that the earl received his bride. Certainly the marriage was celebrated with the utmost haste, rendered necessary by the news that Dublin was in revolt. Dermot and his new ally marched against it. The city was taken and garrisoned—Meath was plundered and laid waste with fire and sword—and Dermot, reinstated in his power, defied Roderick, King of Connaught, and proclaimed his intention of making himself master of the whole island. King Henry, like a designing monarch in our own time, found events marching too fast for his purpose. "Although he was well contented to forbear the presence of the Earl of Pembroke, yet he liked nothing at all to see him thus advanced in Ireland with he might in time attain to such power there, that the same being adjoined to his faction in Wales, he should be able to countenance the crown of England." A proclamation therefore was issued charging all subjects to return home into England before the following Easter, upon pain to forfeit lands and goods, and to be banished the realm for ever: also that none should presume to pass into Ireland from any of the King's dominions by ship, to convey any wares or provisions thither.

DERMOT McMurrough died on the 1st May, 1171, and Strongbow was crowned King of Leinster. His new subjects seem to have adhered to him; but his enemy, the King of Connaught, having procured the assistance of the King of Norway, besieged Dublin: and Strongbow, hampered by the restriction of supplies from England, was in serious straits. In this emergency he despatched Raymond le Gros as an envoy to Henry to open negotiations, which resulted only in a demand that the earl should come over to England and confer with the King in person. In the meantime the siege of Dublin was raised by a gallant sortie, and Strongbow, on his march to Waterford, being met by his envoy, sailed without delay to England, and met the King at Newnham, where he was making preparations to pass over to Ireland with a large army. An angry meeting resulted at length in an arrangement by which Strongbow resigned his Irish sovereignty, the city of Dublin, and the adjacent cantreds, with the towns and fortresses on the sea coast, to the King of England, holding all the rest of his conquests under him as superior lord, and the King on his part pardoned all past offences, restored to the earl his lands, and appointed him Lieutenant or Governor of Ireland. The King was thus in a position to prosecute his original design of the conquest of Ireland on his own account, with the valuable aid of Strongbow. How he accomplished this

this object is matter of general history. The earl never ceased to be an object of suspicion to his sovereign, but he retained till his death his position of Lieutenant of Ireland, and mesne lord or feudatory sovereign of the extensive territories which remained to him as the result of his treaty, and which passed in due course to his descendants. As a ruler his name has always been specially obnoxious to the patriotic feelings of the Irish, who are ready to visit on the ministers of Queen Victoria every wrong done by Strongbow. In 1174 he founded a priory for the Knights Templars and a hospital for the sick at Kilmainham. Meanwhile his affairs in Gwent were not prospering in his absence. Jorwerth ap Owen, whose acquaintance in early life we made at the pass of Coed Grono, the grandson of Caradoc ap Griffith, who, it will be remembered, was an ally of William Fitz-Osbern, and had been allowed to retain his possessions and transmit them to his descendants, had been dispossessed of Caerleon by William, Earl of Gloucester and Lord of Glamorgan, and after retaking it was again driven out in 1171 by Henry II while on his way to Ireland. Various hostilities ensued, and eventually during the struggle between King Henry and his son in 1173 Jorwerth availed himself of the opportunity and attacked Caerleon, which was surrendered to him on terms, and eventually confirmed to him by charter from the King. The facts are given in detail, by the continuator of Caradoc of Llancarvan, who adds that "at the same time Jorwerth's son Howel was busy in Gwent-iscoed, and having reduced all that country excepting the castle to subjection he took pledges of the inhabitants to be true and faithful to him and to withdraw their allegiance from the King of England" (p. 201, Ed. 1774). The castle alluded to was of course Cas Gwent, the Welsh name of Striguil. While this remained unconquered it would be a matter of no great difficulty to bring the neighbouring country again into subjection to its Norman lord, and Caerleon itself was retaken by the Normans in the following year: but there is no record of Strongbow himself having been personally engaged in the reconquest of his territory.

He died on the 5th April, 1176, according to Ralph de Diceto (Twys. Scrip., 570), or on the 1st June according to Giraldus Cambrensis, leaving his widow Eva surviving, who was living as late as the reign of Richard I, when, according to a correspondent of N. and Q., 1st ser. i, 163, she made a grant to John Comyn, Archbishop of Dublin, for the health of her soul and that of her lord Earl Richard. By her he is stated by Ralph de Diceto to have



have left an only son then scarcely three years old. This is a palpable mistake of "filium" for "filiam"; as there is no doubt that if he had only one child by this marriage it was a daughter named Isabel. Whether he had any other issue has been, like everything else connected with the Clare pedigree, a subject of doubt and controversy. An improbable story has been told, for which Stanihurst seems to be the earliest authority, of his having had a son who, at the age of seventeen, having been reluctantly entrusted by the Earl with a command in an engagement with the Irish, fled in terror at their unaccustomed yells, but returned to congratulate him when the battle was won; but the Earl, in rage at his cowardice, cut him in two with his sword: and it is added that father and son were interred in Christchurch, Dublin, in a tomb on which was engraved the epitaph:—

"Nate ingrate, mihi pugnanti terga dedisti :  
Non mihi, sed genti, regno quoque terga dedisti."

Not only has the story been discredited, but the very existence of a son of whom it could have been told has been denied. No mention is found among the English chroniclers of the earl having contracted any earlier marriage than that with Eva, the daughter of Dermot McMurrough, or having had any illegitimate issue. Mr. Planché however, in his paper on the Earls of Striguil and Lords of Chepstow (*Brit. Arch. Assoc. Jour.*, x, 272), mentions that a Roger de Quincy is spoken of as his son-in-law, which would indicate his having had other issue: and Sir R. C. Hoare (*Tour in Ireland*, lxxx) quotes Maurice Regan for the statement that "A.D. 1173, the King being departed, the Earl Richard returned into Fernes, and there he gave his daughter in marriage to Robert de Quincy, and with her the inheritance of the Duffren and the Constableship of Leinster, with the banner and the ensign of the same:" but O'Halloran, in his introduction to the *History and Antiquities of Ireland*, p. 250, says that Strongbow in 1173 "gave his *sister* to Sir Robert de Quincy, and made him Constable of Leinster, and invested him with the banner of the same, which Robert was killed in battle by O'Dempsey, and Raymond le Gros afterwards requested her in marriage with the constableship and banner of Leinster, during the minority, or till marriage of her daughter Quincy"—thus identifying the wife of Robert de Quincy, if O'Halloran's authority be accepted, with Basilea, the wife of Raymond le Gros, and sister of Richard Strongbow. Mr. Planché need scarcely have argued the absurdity of the supposition of a military command having been entrusted to a son by Eva, even if his date of 1168 instead of 1170 for her marriage had been correct.

Sir

Sir R. C. Hoare says that the Irish historians mention a former wife, and a son and daughter by her without giving her name : and Mr. Ormerod (Strig. 63) has pointed out that Richard Strongbow really had a son Walter, who is referred to as such in a confirmation charter of William Marshal the younger, to Tintern Abbey. Whether the son so referred to was by Eva or a former marriage, and whether he survived his father or not, is not very important as regards the history of the lords of Strigul. If Isabel was not her father's heir at the time of his decease, she must have become so by the death of her brother very shortly afterwards.

THE burial place of Richard Strongbow is also a point of controversy. It is uncertain whether he was buried at Kilkenny, at Christ Church in Dublin, or at the cathedral of Gloucester, or whether his remains were removed from one to another of those places. The most inexplicable part of the affair is, that a tomb in Christ Church, Dublin, reputed to be that of Strongbow, having been injured or destroyed by the falling in of the roof, was "restored," in what has unhappily become the modern meaning of the term, by Sir Henry Sidney, Lord Deputy of Ireland, in 1570. In its present condition, represented in a plate to Mr. Planché's paper, and elsewhere repeatedly engraved, it consists of a cross-legged effigy of a knight, and on the left side of it, the upper half (cut vertically through the effigy, and the plinth on which it lies) of another figure, of which not even the sex is satisfactorily made out, though the probability is that it is a female. No one seems to have suggested that the mutilated condition of the second figure, evidently cut in two to meet some architectural exigency (unless the substitution of a clean cut for the fractured surface—the lower half of the figure being lost—was one of Sir Henry Sidney's "restorations") may have originated the popular story of the son cut in two by his father, just in like manner as many a village tale of blood has been founded on the red hand of Ulster in an escutcheon of a neighbouring baronet. Stanishurst, who wrote in 1584, fourteen years after Sir Henry Sidney's operations, appeals to the evidence of the monument as then existing, and to common repute in opposition to the silence of Giraldus Cambrensis. After mentioning the effigy of Strongbow, he says "*cui in sinistro latere adhærescit secti filii tumulus*," &c. (Hoare's Tour, p. lxxviii).

THE effigy of the knight bears a shield, the arms on which are described as Argent, on a chief azure three crosslets patee fitché of the field, on the strength

strength of which those arms have been attributed to Strongbow. Mr. Planché in the paper above quoted has fully discussed the subject, and apart from the historical evidence of the arms of the Clares he justly observes that the shield of the Dublin effigy displays a greater advance in heraldic insignia than he is inclined to believe existed in the twelfth century. The earliest arms of the Clares were cheveronné Or and Gules, that is, as I understand him, with the cheverons, whether three or more in number, extended from the top to the bottom of the shield at distances equal to their breadth, so as to give it the appearance of alternate bands in chevron form, but at a later date they were borne as Or, three cheverons Gules. Herald's have accordingly assigned these arms, with a label of five points Azure for a difference, to Gilbert and Richard Strongbow as the younger branch of the Clare family: but this differencing also is a refinement of heraldry attributable to a later age. Mr. Planché engraves with the paper referred to an alleged seal of Richard Fitz-Gilbert Earl of Pembroke, representing an equestrian figure bearing the cheveronné shield of three cheverons only, from a pen and ink sketch by Mr. Brooke, Somerset Herald; but it must be confessed that confidence in the accuracy of our informant is rudely shaken by the fact that on the same plate he gives us as the "seal of Gilbert de Clare Earl of *Pembroke*," and with half a page of dissertation in the text shewing that it is not a mere mistake in the lettering of the plate, a seal from Bysshe's notes on Upton bearing in the plainest possible letters the legend of "*Sigillum Gileberti de Clare comitis Gloverniæ*," the first Gilbert who filled that description being the great-grand-nephew of Gilbert Earl of Pembroke! The fact is that he has copied by mistake a seal on p. 88 of Bysshe on Upton, that to which his observations apply being on p. 89. The same coat with three cheverons is however found on some flooring tiles preserved at Tintern Abbey; and we may safely attribute these arms to such of the Clare family as come within the scope of our memoir. In the Caerleon Museum there is an ivory shield supposed to have belonged to a bronze statuette, figured in plate xlvii to Mr. Lee's *Isca Silurum*, and discussed at p. 116 of that work, with references to Mr. Planché's *Pursuivant of Arms* (in which the above noticed mistake is not repeated) and to the seal from Bysshe on Upton. The Caerleon ivory is cheveronné of five cheverons, and is no doubt the shield of a Clare, but neither the date nor the individual represented is clearly ascertained.

ISABELLA, the daughter, and either immediately or eventually the heiress  
of

of Richard Strongbow, was at her father's death, if the statement of Ralph de Diceto is intended to apply to her, barely three years old (*vix plene triennem*), and she of course became in ward to the King. Mr. Wakeman, in his paper on The Town and Castle of Chepstow, says that her wardship was granted to Patrick de Cadourcis, who held Chepstow as her guardian in 33 Hen. II and 6 Richard I. He quotes no authority, but has evidently derived his information from Dugdale's Baronage (i, 517), where it is stated that in 33 Hen. II this Patrick de Cadurcis (Chaworth) upon collection of the scutage of Galwey accounted for £6 for the knight's fees belonging to the Honour of Striguill, and in 6 Richard I paid the like sum upon levying the scutage for the King's redemption. That the latter payment was made by him as owner, or guardian of the infant owner of Striguill, is irreconcilable with all other known facts. Perhaps an examination of the Gloucestershire Pipe Rolls for the years named, which are referred to by Dugdale as his authority, would furnish some explanation of the character in which the payment was made.<sup>1</sup> It may turn out that it was as receiver for the owner, or as collector of the scutage. Failing this explanation, it is easier to suppose that the collector of the second scutage may have copied in error from the roll of the first than to ignore all the evidence of the date of Isabel's marriage. In Fenton's Pembrokeshire (p. 379) it is stated that "Isabel, being left an infant in ward to the King, the earldom of Pembroke for the space of fourteen years was most shamefully ravaged by her guardians, of whose improvidence

<sup>1</sup> PIPE ROLL, 33 HENRY II, Glouc.

*De scutagiis militum Honoris de Striguill.*

Patricius de Chaurcis reddit compotum de *xlii* de scutagiis militum quos recognovit per servientes suos in carta. In thesauro *lxs.* Et debet *lxs.* Idem reddit compotum de eodem debito. In thesauro *xxs.* Et debet *xlx.*

There is also in the same roll the following record :

Et in donis per breve Regis Eve Comitisse de Striguill *xlii.*

PIPE ROLL, 6 RICHARD I, Glouc.

*De scutagiis militum ad redemptionem Domini Regis.*

[Others]

Patricius de Chaurcis debet *xlii.* et *xs* de scutagio suo.

These extracts shew that the references given by Dugdale are accurate, and from the first record it is clear that Patrick Chaurcis at that date paid his scutage for the Honour of Striguill, but it does not appear by what tenure he held possession of the Honour.

In the Roll of 6 Richard I there is nothing to shew any connection with Striguill, but inasmuch as the scutages were within the levy for Gloucestershire, there can be little doubt that these were also for the fees of Striguill.

The gift to the Countess Eva is interesting.—ED.

improvidence and neglect the Welsh taking advantage, under Marlwyn and Howel, sons of Lord Rhys, laid regular siege to Tenby, then the principal garrison of the English forces, and taking it by storm, burnt the town and put the inhabitants to the sword. Complaint being made of this to the King Richard I, he gave Isabella in marriage, &c." The law at this period gave to the feudal lord the wardship of an heiress, while within the age of fourteen years: and it was not until the statute of Westminster, in the reign of Edward I, that the right of the lord was extended so as to enable him to tender a suitable marriage within a further period of two years. Consequently if Isabella was given in marriage by Richard I, even in the first few days of his reign, as all authorities, except that above quoted, concur in stating to have been the case, either it must have been an act in excess of his rights—or she must have been born within a few months before her father's death—or the marriage must have been brought about by the personal influence, rather than in exercise of the feudal right, of King Richard.

## CHAPTER IV.

## FAMILY OF MARSHAL.



**T**HE husband found by the King for the heiress of Strongbow was William Marshal, a younger son, of a noble but not very influential family, deriving their name from their office of Marshal of the King's House,<sup>1</sup> held in grand serjeanty by tenure of the manor of Hempsted-Marshal, in Berks. The office and family estates were then enjoyed by his elder brother, John Marshal, by whose death without issue, ten years later, they devolved upon the younger brother. It is important to bear in mind these

<sup>1</sup> According to Anstis, quoted in Edmondson's *Heraldry*, i, 37, Marshal of the Curia Regis or Exchequer; but John Marshal, as a witness to his brother's charter to Cartmel Priory, is described by the title given in the text.

The frequency with which the name of John Marshall, and subsequently that of his brother William, throughout the reign of Henry II, appear as witnesses to the King's charters, would lead to the conclusion that they were members of the Royal Household. As early as 1155 John Marechal is a witness, together with Philip, Bishop of Baieux; Ernulf, Bishop of Lisieux; Thomas (Becket), the Chancellor; Reginald, Earl of Cornwall; and Richard de Humez, Constable, to a charter granting to Robert Fitz-Herbert the Chamberlainship of his father and grandfather; and in March of the same year, with others of high rank, he was witness to a charter to the Norman Abbey of St. Sauveur le Vicomte, confirming the donation which Queen Adeliza and William, Earl of Chichester, her second husband, had made thereto. In 1156 we find him witness to a charter in favour of Christ Church, Canterbury. In 1164 he was present at the Council of Clarendon. It was John, the King's Marshal, whose complaints against Becket afterwards led to the archbishop's attainder at Northampton. On 14th September in this year Becket was under summons to appear in the King's Court at Westminster to answer the complaint of John, the King's Marshall, but he did not appear. His biographer states

these facts, as the surname of Marshal and the similarity in the title of the two offices have occasionally led to the mistake of supposing that the office of Marshal of England, held by the issue of this marriage, was derived through William Marshal's ancestors, instead of through the heirs of the Strongbows.

WILLIAM Marshal had been a gentleman of the household of Prince Henry, the eldest son of Henry II, and in his special favour: for on his deathbed, in 1183, his crusader's vow being unfulfilled, he entrusted his cross to William Marshal, to be carried to the Holy Land (Rog. Hoveden, Savile's Scrip., 354). He had probably taken the cross along with his prince, as is indicated by his burial in the Temple Church and his benefactions to the Templars; but there is no trace of his having visited the Holy Land, either during the reign of Henry II, or at any other period of his busy life.<sup>1</sup> He attached himself to the service of Richard Cœur de Lion, and was in his fullest confidence, as well as that of his brother John. He appears also to have been trusted by their father; for we find him, in 1188, along with Walter, Archbishop of Rouen, and John, Bishop of Evreux, sent on an embassy from Henry II to the French King (Rog. Hoveden, Sav. Scrip., 367 v).

HENRY II died on the 6th July, 1189, and on the 20th of the same month Richard received the sword of the Duchy of Normandy from the altar of St. Mary's at Rouen. Between that day and the feast of St. Mary Magdalene, on

he was ill at the time [*Sancti Thomæ Cantuariensis Vita et Epistolæ. (Giles).*] He was again summoned to appear at Northampton, on which occasion he was more punctual than the King, who came late. John Marshall did not appear. According to Giles *he was at the Exchequer in London.* On the 30th of the same month the King gave sentence against the archbishop. John Marshall was again witness to a Royal Charter between 1 and 13 March, 1166, and in 1169 he was excommunicated for having possession of land of Mundeham (parcel) of the Manor of Pagnham, which land the King took from the church of Canterbury. This is the last occasion on which we find his name mentioned.

Our first introduction to William Marshal is on 13th April, 1173, which is the date given for the outbreak of the rebellion of Prince Henry, in which he was one of the Prince's adherents. He was a witness to Royal Charters in 1175 and 1181, and is mentioned as being in attendance on Prince Henry, on his death at Martel, on 11th June, 1183, as stated in the text. He is named as a witness to two Royal Charters in 1188, and in the same year he was sent with Walter, Archbishop of Rouen, and John, Bishop of Evreux, with demands and threats to Philip, King of France. The messengers brought back a message of defiance, whereupon Henry invades the French territory. [*See Literary King Henry II.*—Ed.]

<sup>1</sup> The *Brit y Teyfession* mentions him among those who went to Jerusalem in 1218: but, as we shall see, the nature of his duties at home at that period makes the statement incredible.

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on the third day after, "he gave to William Mareſchall the daughter of Richard, Earl of Strugoill, with that honour" (Joh. Brompton, Twys. Scrip., 1155). The coronation in London took place on the 3rd September, the particulars of which are given, almost in the same words, by the chronicler last cited and by Roger Hoveden (Sav. Scrip., 374). After naming various high officers and their place in the procession, they say that "next came John Mareſchal, carrying two large and heavy golden spurs. Then came William Mareſchal, Earl of Striguil, carrying the royal scepter of gold, on the top of which is a golden cross, and by him William, Earl of Salisbury, carrying the golden rod, having at the top a golden dove;" and Hardyng, in his rhyming chronicle, tells us how

"William Marſhal bolde,  
Earle of Strigeyll, the ſcepter bare of golde."

ON the 18th of September, as William Marſhal, Lord of Striguil, he witnessed a charter to Hugh, Bishop of Durham, printed in Roger Hoveden's Annals. In the following month, the King entered into engagements with the King of France for their joint expedition to the Holy Land. Roger of Wendover mentions that, having received through ambassadors the oath of Philip Augustus, that he would hasten his departure without fail, Richard caused Earl William, his Marſhal, to make oath on his own soul that the English monarch would be punctual to his appointment—a singular indication of confidence in the royal word. The King set out accordingly in December, leaving, as Lords Justiciaries, Hugh Pudſey, Bishop of Durham, and William Longchamp, Bishop of Ely, the Chancellor and Papal Legate, with whom he associated William Bardolph and William Briwere, according to Roger of Wendover and John Brompton, and also William Marſhal and Geoffrey Fitz-Peter, according to Roger Hoveden. The probability is that the account of the two former chroniclers is correct, and that William Marſhal accompanied Richard as far as Messina, in part performance of his crusader's vow: for all the chroniclers relate how, the conduct of the Bishop of Ely having become unendurable, representations of his evil practices were sent to the King, in 1191, while wintering at that place, from which he issued letters, printed in Roger of Wendover's Chronicle, addressed to William, his Marſhal, Geoffrey Fitz-Peter, Hugh Bardolph, and William Briwere, directing them, if his Chancellor should not have faithfully performed his duties, to take measures for managing the affairs of the kingdom at their own discretion:

and



and Roger de Hoveden and John Brompton both say that these orders were conveyed to England by Walter, Archbishop of Rouen, and William Marshal, Earl of Striguil; but Roger of Wendover, on the other hand, quotes a further letter from the King, addressed to William Marshal and others, his council, associating with them for advice and assistance the Archbishop of Rouen, who is stated to have been the bearer of the letters. If William Marshal ever set out on his pilgrimage, we thus see how he was diverted from his purpose by the necessities of state. The commissioners did not think it prudent to act upon the royal warrant, the Chancellor being prepared to set them at defiance, and having engrossed all the power of the state into his own hands. It is desirable to touch as lightly as possible events not directly concerning the subject of our memoir, and it may be shortly stated that both the King's brother John, and the Chancellor, were speculating on Richard's never returning alive from his enterprize, and each was pursuing his own ambitious designs, the Chancellor, for the purpose of prolonging his own authority, supporting the claims of the King's infant nephew, Arthur, as heir presumptive to the crown, while John was intriguing for his own succession. Eventually open war broke out between them; the Chancellor besieged Lincoln Castle, and John seized the castles of Nottingham and Tickhill. The death of Pope Clement having abridged the Chancellor's power, by the temporary cessation of his legatine authority, negotiations were opened, and terms agreed upon, by which the castles of Nottingham and Tickhill were to be delivered up, and various other castles, which had been assigned to Earl John by his brother, were to be placed in the hands of persons of trust and loyalty on behalf of the King, with a stipulation that in the event of his death without issue, the title of John was to be recognized in preference to that of his nephew, Arthur. Nottingham Castle was accordingly placed in the hands of William Marshal. A few months later the Chancellor's power collapsed in a trial of strength with the King's illegitimate brother, Geoffry, Archbishop of York. A meeting was held between Earl John, the Bishops, Earls, and Barons, and the Citizens of London, at which the Archbishop of Rouen and William Marshal, Earl of Striguil (as Hoveden relates), for the first time produced before the people the sealed letters from the King, and the Bishop of Ely was formally deposed from all authority. He sought and obtained the protection of the Pope, under whose sanction he denounced and excommunicated all his enemies, and, among the rest, William Marshal and his colleagues by name. For some time after this period we find the King's Justiciaries mentioned in general terms without

without naming them, and when, at a little later period, we find their names mentioned in any public transactions, that of William Marshal is not among them. In fact he drops out of sight during almost all the rest of Richard's reign, except that he is mentioned as holding successively the offices of Sheriff of Lincolnshire and Suffex, and attending Richard, as the duties of his marshalship required, in his Norman campaign of 1194. He was not crusading, or he would certainly have been with the Lion-hearted King. He may have been consolidating his power in Ireland, where the protection of Strongbow's large possessions would require a watchful eye and a strong hand. We catch an occasional glimpse of his wars in that country in a dispute we shall have to notice with the Bishop of Ferns as to some church lands claimed by right of conquest. It is true that no express mention is found of his visiting Ireland until the year 1200, when he had an escape from shipwreck in Bannow Bay, but after that period his constant attendance on King John must have prevented his passing much time out of England. At all events, with the exception above noticed, we find no trace of him in attendance on Cœur de Lion after leaving him at Messina, nor does he witness any treaty, or appear in any of the negotiations with the King of France or others; nor, on Richard's return to England, does he find a place among the great officers at the second coronation, at which the King is stated to have himself carried the sceptre with the golden cross. From these facts, and that of the Bishop of Ely having been fully reinstated in Richard's favour, and from his successor, as the very first act of his reign, sending over William Marshal, as his agent, to England, it is to be inferred that Richard withdrew his confidence from him, suspecting (and probably not without reason) his leaning towards Earl John, of whose treasonable practices the King was well aware, though too generous, or too careless, to take active measures for restraining them.

ON the death of Richard, Hoveden relates that John, Earl of Mortaigne, his brother, tarrying in Normandy, at once sent to England, Hubert, Archbishop of Canterbury, and William Marshal, Earl of Strigoil, to preserve the peace of England, together with Geoffry Fitz-Peter, Justiciary of England, and other barons of the realm. Hubert appears to have been with King Richard in Normandy very shortly before, and probably at the time of, his death. Geoffry Fitz-Peter was his Justiciary in England, and William Marshal was probably one of John's own immediate followers, and with him in Normandy at the time. The steps taken by the three emissaries for securing John's peaceable accession to the

the throne are related in detail by Hoveden, and on the 27th May, 1199, in the presence of a number of Earls, among whom Earl William of Striguil is mentioned, the coronation took place, and among the incidents of the day is related one so important to our purpose that it is best to give it in the original Latin:—  
 “Eodem die coronationis suæ Johannes Rex accinxit Willielmum Marefcallum gladio comitatus de Striguil, et Gaufridum Filium-Petri gladio comitatus de Essex; qui, licet antea vocati essent comites, et administrationem suorum comitatum habuissent, tamen non erant accincti gladio comitatus; et ipsi illa die servierunt ad mensam regis accincti gladiis.” We may translate “comitatus de Striguil” and “gladio comitatus” as “the *Earldom* of Striguil” and “the sword of their *Earldoms*,” and so reconcile the passage with the position of the Lords’ Committee that it was immaterial whether the earldom was called that of Striguil or Pembroke: but what possible translation can we give of the phrase “administrationem suorum comitatum,” except “administration of their *Counties*?” If the question had been still open, we might have been disposed to argue that the Earldom of Striguil rested on much the same evidence as that of any other earldom of this early period: but it would be a profitless discussion in the face of a decision by the Lords’ Committee that the title of Earl of Striguil was assumptive and imaginary only. For the investiture of both William Marshal and Geoffry Fitz-Peter on this occasion a satisfactory reason may be found in the fact that both of them held their earldoms in right of their wives, according to the usage of that period and some centuries later, William Marshal having married the heiress of Richard Strongbow, and Geoffry Fitz-Peter the heiress of William Mandeville, Earl of Essex. Their investiture may have been intended to create them Earls in their own right. In our own day, the husband deriving no rank from his wife’s peerage, the case could not arise. At an intermediate period of our history it might have given rise to the question whether there was a single peerage (named indiscriminately Pembroke or Striguil) or two separate peerages, which in certain events might descend to different heirs; but probably the question was not contemplated at this early stage of our law.

By whatever title he or his wife’s ancestors were recognised by their contemporaries, it is as William Marshal, Earl of Pembroke, that the great Protector is now known to history. It is under that title that we are introduced to him by Shakespeare: but those readers, who derive their notions of English history (as more persons do than choose to acknowledge it) from

from the historical plays of our great dramatist, should be reminded that Shakespeare's system was not only to exercise the privilege he claimed for himself of

"Jumping o'er times—  
Turning the accomplishment of many years  
Into an hourglass,"

but to use historical materials for dramatic purposes, connecting them together, not only in respect of time and place but in respect of cause and effect, according to the exigencies of his art: and that (to use the words of Mr. Halliwell-Phillips) "the play of King John partakes, more than any of the other histories, of the character of the romantic drama, both in the want of attention paid to the truth, and the succession of historical events, and in the manner in which they are made subservient to the purposes of dramatic design." He omits all mention of the political cause for which the barons took up arms, and makes their defection from the King, and the transfer of their allegiance to the Dauphin Lewis, simultaneous, and the immediate consequence of John's discovered complicity in the murder of Prince Arthur. The treatment of the character of the great Earl of Pembroke, in particular, has been peculiarly unfortunate. His name might have been taken at random from the English peerage. He and Roger Bigod, Earl of Norfolk, are little more than walking gentlemen, echoing the sentiments of Salisbury, and forming with him a trio of stage representatives of the revolted barons. The part he played in the real drama of history is exactly reversed. Instead of being, as represented in the play, one of the leaders in the revolt, and brought back to his allegiance only by Count Melun's dying disclosures of the Dauphin's designs, Pembroke was from first to last a firm and unswerving adherent to the royal cause.

DURING the entire reign of King John his Marshal seems to have been in close attendance on the King: for his name is, with few exceptions, found in the attestations of all the royal charters of that reign. In the treaty between the Kings of England and France, in May 1200, by which the claims of Prince Arthur were set aside, and a marriage concluded between the Dauphin and the Princess Blanche of Castile, William, Earl of Pembroke, is one of the eight sureties who made oath, and pledged their fiefs, for John's observance of the terms of the treaty. Just twelve months afterwards, the French King having attacked Normandy, in breach of the treaty, William

Marshal

Marshal, Earl of Striguil, with a hundred knights, and Roger Lacy, Constable of Chester, with a similar number, were sent to the defence of that Duchy. Both these commanders were in Normandy in 1204. The latter being closely besieged in Chateau Gaillard, the Earl of Pembroke formed a plan for its relief by a combined attack on the besiegers by sea and land. He led a force of 4000 infantry and 3000 cavalry, which was at first successful, but the non-arrival of the fleet of flat bottomed vessels at the calculated time rendered the attack abortive. The Earl was repulsed with loss, and his army seems to have returned home; for in the same year he was sent, with the Archbishop of Canterbury, the Bishops of Norwich and Ely, and the Earl of Leicester, on an unsuccessful embassy to treat for peace with the King of France. In May or June 1205 we find him, with the Archbishop, strongly dissuading the King against the expedition to France, for which his forces were then assembled at Porchester.

IN the following month, Hubert, Archbishop of Canterbury, died—the commencement of all the King's troubles. It is unnecessary to follow the course of general history during the weary years which followed, in which the hostile relations of the English and French sovereigns afforded an opportunity for the papal aggressions, the successful resistance to which might have made the reign of King John the brightest instead of the blackest page of English history. But he had entered upon a double or rather a treble contest. While engaged in a foreign war, in which he required the loyal co-operation of his subjects, and a contest with the papal court for that ecclesiastical supremacy for which his father had contended in vain, he was also involved in a domestic controversy, which may be considered as the principal cause of his disgrace. The quarrel of the Kings of England and France had been the opportunity of the Pope, and in its turn the quarrel between Pope and King became the opportunity of the Barons: and when, deprived of the sympathy of his subjects, John was driven to his disgraceful submission to the Roman Pontiff (to which the Earl of Pembroke, we are sorry to say, was one of the witnesses), and thought, by means of the papal protection, to strengthen his position in his foreign war, his barons refused to follow him. But at a somewhat earlier period than this, and while under the papal sentence of excommunication, John had been warned of intended treachery on the part of his Barons, and, as is related by Roger of Wendover (ed. Eng. Hist. Society, iii, 239), sent messengers to all his nobles whose fidelity he suspected, requiring

hostages

hostages, to test who would and who would not comply: and, not daring, with some notable exceptions, to resist the royal commands, they sent their sons, nephews, and relations at the King's pleasure. We find in the Close Rolls, under the date of 4th June, 14 John, a warrant addressed to William Marshal, commanding him to send his son Richard, by Thomas de Samford, to whose charge, our lord the King has, in good faith, committed him. In fact the King knew not on whom to rely, and a less suspicious sovereign might have felt some distrust, when he found the Earl of Pembroke's eldest son, William Marshal the younger, arrayed in the ranks of his enemies, of which, even at this period, some indications may have been given. The King, having obtained absolution, had to negotiate with the Pope as to terms of compensation to be made to the bishops, as the price for taking off the interdict; and on setting out for France, early in 1214, he left the business to be arranged by the Legate and the Earl of Pembroke by whom it was settled accordingly, and the Earls of Pembroke, Chester, and Winchester, with the Bishops of Winchester and Norwich, became sureties for the King to the amount of 13,000 marks, the unpaid balance of the compensation agreed upon.

THE Pope had thoroughly succeeded in the object of his intervention, and the Archbishop lost no time in secretly allying himself with the Barons, in their domestic quarrel with the King. On the 25th August, 1214, at a conference with the prelates, barons, and others, with reference to the removal of the interdict, he reminded them that the King had bound himself by oath to restore the ancient laws of the realm, and produced an alleged charter of King Henry I, the confirmation of which would secure them all the liberties for which they had been contending. Shortly afterwards a large number of earls and barons, being assembled at St. Edmundsbury under pretence of a pilgrimage, entered into a solemn league, and pledged themselves on oath, to enforce this charter on the King. On the 6th January, 1215, they presented their demands, appearing before him at the New Temple in military array. His answer was deferred to Easter, the barons returning to their homes on the King's promise, with the Archbishop of Canterbury, the Bishop of Ely, and the Earl of Pembroke as his sureties, that he would in all reason satisfy them. In Easter week they accordingly assembled at Stamford in overwhelming force, consisting, as it was computed, of 2000 knights, with the usual complement of men at arms and foot soldiers, and comprising nearly all the nobility of the kingdom, among whom was William Marshal the younger, the eldest son of the Earl of Pembroke

Pembroke. Thence they marched to Brackley, where they were met by the Archbishop and the Earl of Pembroke, sent by the King for an explanation of their so assembling; through whom they delivered a written statement of their demands. Both the Archbishop and Earl urged compliance, but the King peremptorily refused; and the barons thereupon marched to London, which the citizens willingly yielded to them. From London they sent letters to all the earls and barons who still adhered to the King, requiring them to join in the revolt on pain of being treated as open enemies. Roger of Wendover enumerates twenty-two nobles only, of whom the Earl of Pembroke is first on the list, as those who had not joined the confederacy, the greater part of whom at once abandoned the King, and when, on the memorable 15th of June, the famous conference took place at Runnymede, the Earl had only twelve laymen associated with him as adherents to the royal cause. The great charter then granted, or rather the articles accompanying it, virtually placed the King's authority under the control of a committee of twenty-five elected barons, empowered to enforce, by the most stringent and humiliating measures, the observance of the charter. In the troubled space of sixteen months which intervened between these events and the death of King John, during which period, aided by the Pope's bulls of excommunication, and with the assistance of foreign mercenaries, he struggled to resume the concessions extorted from him by superior force, and on the other hand the barons, dispossessed of all their strongholds except London, as a last resource invited over the Dauphin Lewis, and swore allegiance to him as their King, we find mention of the Earl of Pembroke, sent on an unsuccessful mission from King John to the King of France, to induce him to discourage his son's enterprize: and again in July, 1216, we find him, with the Earl of Chester and Fulke de Breante, recovering for the King, the city of Worcester, which had shortly before been induced by William Marshal the younger to declare for the cause of Lewis.

On the death of King John London and the whole of the south eastern part of England, with the exception of the castles of Dover and Windsor, were in the possession of Lewis. The disclosure by the Count de Melun of the ultimate designs of the French Pretender to dispossess the barons, when they had served his purpose, and replace them with his own countrymen (as related by Shakespeare, who in this instance followed closely the records of real history) had detached many of the barons, who had thereupon sought to make their peace with King John, but found him on his deathbed. He died

died at Newark on the 19th October, 1216. At this critical period the Earl of Pembroke, who, as Marshal, was at the head of the King's army, was found equal to the emergency. He conveyed the corpse of his royal master to Worcester, and there buried it with such state as circumstances permitted, and on the 27th of October convened a meeting at Gloucester of as many of the earls, barons, abbots, and priors, as he could induce to join him, with Gualo the papal legate, and the Bishops of Winchester and Worcester. A graphic account of what then took place is given in almost the same words by Walter de Hemingburgh and Henry Knyghton. "The Earl Marshal, a man of great influence and sound judgment, called together in a friendly manner many earls and some barons, and having taken young Henry, the son of King John, who had not yet completed his ninth year of age, placed him in their midst, and said "Behold our King," and added, "My dear friends, although we have, and that justly, constrained his father for his evil deeds, yet this young and innocent child is guiltless of his father's acts, and because misconduct and faults should only bind their authors, and, in the words of the Lord, the son shall not bear the iniquity of the father, we should exonerate this young child, and have compassion on his tender age. And now forasmuch as he is the King's son, and our future lord and successor in the realm, come and let us make him our King, and expel from our land Lewis, the French King's son, and all his nation, and let us take away the reproach of our land, and break asunder the yoke of a wicked bondage." "How," said the Earl of Gloucester, "shall we be able to do this? for we have invited him, and given him our allegiance." "We can and we ought," he said, "because he has abused our allegiance: for we invited him, and were willing to have set him over us; but now, being puffed up with pride, he has scorned and despised us, and if we forgive him he will so subvert us and our land that we shall be a reproach to all men and the scorn of his commonalty." On this, as if by divine inspiration, they all exclaimed "So be it—Let him be King—Let him be King," and they appointed the day of his coronation. The passages in the earl's speech, in which he identified himself with the action of the barons, were merely a rhetorical artifice. There was, as we have shown, no foundation in fact for the assertion that he was one of those who had acted in opposition to King John, and less, if possible, for that of his having been a party to the invitation to the Dauphin. The child was crowned accordingly on the following day, and a meeting of prelates, earls, barons, and knights, having been convened by the Legate at Bristol



Bristol on the 11th of November, the Earl of Pembroke was chosen Protector, under the style of "Rector regis et regni."

THE first act of the new government was to confirm, with considerable variations, the charter of King John, which was done by a charter in the name of the new sovereign, dated the 12th November, and printed in Blackstone's Law Tracts (App. p. xxvi). It purports to be made in the presence of God, for the health of his soul and the souls of all his ancestors and successors, to the honour of God, and the exaltation of Holy Church and the amendment of his kingdom, and by the advice of the legate, and the bishops, earls, and barons therein named, and is tested in the following curious terms:—"And because we have not yet a seal, we have caused these presents to be sealed with the seals of the venerable father, our lord Gualo, &c., and of William Marshal, Earl of Pembroke, the Governour of ourself and our kingdom." Having thus declared his policy, the Protector issued letters in the King's name to the absent nobles, repeating the arguments used at Gloucester, and inviting them to return to their allegiance. A large proportion did so, and the earl was soon at the head of a force with which he at once compelled a truce, and on the resumption of hostilities, fought the successful battle of Lincoln, and eventually drove Lewis to a treaty, on the 11th September, 1217, by which he abandoned all pretence to the throne, and a general amnesty was guaranteed to his followers. He was honourably escorted to the coast, and the young King made his solemn entry into London. On the 23rd of the same month, in the presence of nearly all the nobility of the kingdom, a new charter was executed, tested and sealed like the former one, confirming the great charter, with various additions. This charter is preserved in the Bodleian, and printed in Blackstone's Law Tracts (App. p. xxxvi). The seal of William Marshal, which is wanting to the earlier charter, is preserved with this, and is figured in Blackstone's work; but whether from its actual condition, or the wretched representation of the engraver, nothing can be made of it, beyond the fact that it represents an equestrian figure, armed with a sword, and in the usual attitude, and a legend, of which the only lettering extant is S, for Sigillum, near the head, and ESCA, no doubt part of the word Marescalli, at the bottom. The costume might be anything, and no shield is shewn: but we may take this opportunity of noticing that the arms of William Marshal were: Party per pale, Or and Vert, a lion rampant Gules, armed and langued Azure; which he substituted for the earlier arms of his family, Gules, a bend lozengée Or.

His

His possessions were on a scale commensurate with his political importance. To the estates of Richard Strongbow, augmented as we have seen by his acquisitions in Ireland, were added his own paternal estates on the death of his elder brother, and a moiety of the Norman and English possessions of William Giffard, Earl of Buckingham, of which a confirmation was granted, in the second year of King Richard, to William Marshal, as representing one branch of the Clare family, while the remaining moiety was granted to Richard, fourth Earl of Hertford, as representing the other branch. He had also had, at various periods of King John's reign, grants of Goderich Castle, of lands in Somerset, and of the whole province of Leinster. In his capacity of Lord Marcher he had extended his possessions in Wales, and having, according to the chronicle of Caradoc of Llancarvan, as continued by Powel, attacked and taken Caerleon, in the year 1217, procured a confirmation by charter from its owner, Morgan ap Howel ap Jorwerth, who held it not only by the title derived from his ancestors but under a charter from the English King. The confirmation charter is printed in Mr. Lee's *Isca Silurum*, p. 141.

THE great Protector lived to see the thorough pacification of the realm, so that when the King was again solemnly crowned at Westminster, the oldest peers declared they had never known such concord and tranquillity in the land; and, his work accomplished, he died in the month of May, 1219, happily unconscious how worthless a sovereign he had been the means of placing on the throne. He was buried on the 17th of that month, in the Temple Church, where his supposed monument still remains, on which was inscribed an epitaph, attributed by Matthew Paris (p. 463, ed. 1644) to one Gervase de Melkeleia:—

"Sum quem Saturnum sibi sensit Hibernia, Solem  
Anglia, Mercurium Normannia, Gallia Martem"

closely rendered by Weever (*Fun. Mon.*, p. 442, ed. 1631):—

"Whom Ireland once a Saturne found, England a Sunne to be,  
Whom Normandy a Mercury, and France Mars, I am he."

HE left five sons, all of whom in turn were Earls of Pembroke and Marshals of England, and all died without issue, when the family estates became devifable, as we shall have to notice in due time, among five daughters and their descendants. In this strange concurrence of events the superstition of the age saw a judgment of the Almighty, confirming a sentence  
of

of excommunication pronounced by the Bishop of Ferns in the Earl's lifetime, and repeated over his grave with the sentence that, bound in the chain of his fins, he should remain for ever in hell, unless his heirs would restore some church lands alleged to have been seized by him while carrying on war in Ireland, and added to his large possessions. The story is told at length by Matthew Paris at the page last cited. His wife survived him, for she and his steward, Geoffry Fitz-Robert, in pursuance of the directions of his will, founded a Cistercian Abbey in the south of Wexford, as a cell to Tintern, at a spot now bearing the same name. It was called indifferently the Abbey of Tintern or De Voto, the latter name being derived from its having been founded in pursuance of a vow of William Marshal, when, in the year 1200, after imminent danger of shipwreck, he landed in safety in Bannow Bay, near this spot. This is the explanation of a tombstone in the Abbey on the Wye, which has occasionally puzzled visitors and their guides, inscribed with the name of "Henricus de Lancut Abbas de Voto." This was only one of the earl's many works of piety. He founded the priories of Cartmel, in Lancashire, and Kilkenny, Kilrush, and Lough Garmon, in Ireland, and gave various benefactions to the Knights Templars, the monks of Gloucester, Pembroke, and Stanley, in Wilts, and the canons of Bradenstoke, in the same county. His representatives seem to have felt confident that these good works would secure the repose of his soul in spite of the Bishop of Ferns. In reliance either on them or on the justice of his father's cause in relation to the disputed claim, the Protector's heir, with the approval of his brothers, resisted all the pressure put upon him, and even the private entreaty of the young King, who, though shocked at the bishop's malignity, had no doubt as to his powers, and urged the son to do what was asked of him in pity for his father's soul. "If that old raving bishop," he answered, "has pronounced sentence unjustly, let the curse recoil on his own head. I will not lessen my estate. My father died seized of it, and I enter rightfully on what I find."

WILLIAM Marshal the younger succeeded on the death of the great Earl of Pembroke to his father's estates, earldom, and office of marshal: but, irrespective of these, his fortunes were already made. We have seen him taking his own line, and that in opposition to his father, in the stormy politics of the period. He not only took his place in the ranks of the confederate barons, but he was one of the committee of twenty-five named in the convention  
signed

signed by King John at Runnymede, in which William Marthal the younger is described as a baron. It will naturally be asked how he came to be so described in his father's lifetime, and what means he had of raising a military force on his own account. The explanation is that he was in the actual enjoyment of lands in six counties, acquired by his marriage with Alicia, daughter of Baldwin de Bethune, Earl of Albemarle, to whom he had been betrothed, as early as the year 1203, at an age which may be approximately inferred from the date of his parents' marriage, which took place on or about the 21st July, 1189. To gratify the reasonable curiosity of the ladies as to the mode in which these interesting matters were arranged in "the troublesome reign of King John," the marriage settlement is here translated from the Charter Roll: and as the fact of the marriage has been doubted, though, as we propose to shew, on insufficient grounds, it may also be of interest to antiquarian readers. No doubt the marriage contract had been negotiated and settled by the parents of the young couple: but inasmuch as the lands held in capite could not safely be alienated without the royal licence, the King was a necessary party to the transaction, and the arrangement took the form of a charter as follows:—"John, by the grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Earl of Anjou, to his Archbishops, Bishops, Abbots, Earls, Barons, Justiciaries, Sheriffs, Governors, and all his bailiffs and faithful subjects, greeting. Know ye that we have caused a marriage<sup>1</sup> between William, son of William Marthal, Earl of Pembroke, and Alice, daughter of B[aldwin] de Bettune, Earl of Albemarle, and that the said Earl B[aldwin] has given to him with her, after his own lifetime, all his land in England, for a marriage portion, to wit Braborn, Sutton, and Kemefing, in Kent; Luyton, in Bedfordshire; Folesham, in Norfolk; Wanting, in Berks; Savernstoke, in Worcestershire; and Norton in Northamptonshire. To have and to hold to him and his heirs in hereditary right, with all their appurtenances, saving the dower of the Countess H[awisia], the wife of the said Earl B[aldwin], and if it shall happen that the said Alice depart this life, the said William, the son of the said Earl William, shall have to wife, with the afore said marriage portion, another daughter of the said Earl B[aldwin], if God shall give him one, but if it shall happen after the manner of all men to the said William, the son of the said Earl William, Richard, his younger son, shall have the said daughter

<sup>1</sup> *Maritagium*—not *matrimonium*. The word has a double meaning—in this place the espousal or civil marriage, and in subsequent parts of the document, the estates settled as a marriage portion. It also means the right of disposing of a ward in marriage.

daughter, with the said marriage portion, and if the said Earl B[aldwin] shall die, the said Earl William Marshal shall have all the said lands in ward for the use of his son and the daughter of the said Earl B[aldwin], if she shall be within age, but if the said earl shall make any other acquisition in England, the whole of it shall remain to the said William, the son of the said Earl William, or to Richard, his son, and the said Alice, or her sister, as is aforesaid. Moreover this marriage portion we have granted, and by this our charter have confirmed to the said William, the son of the said Earl William, to have and to hold in hereditary right to him and his heirs in all the said lands, with all their appurtenances, in covert and open, in highways and byeways, in pastures, waters, and mills, in fishponds and fisheries, and in all places and things. Wherefore we will and firmly command that the said William, the son of the said Earl William, do have and hold of us and our heirs the aforesaid tenements, with the appurtenances, as well and freely as ever the said Earl Baldwin held them. Witnesses, John, Bishop of Norwich, William, Earl of Arundel, William, Earl of Salisbury, Ranulph, Earl of Chester, Hugh Bigot, Gilbert de Clare, G. Fitz-German, Thomas Basset, Peter de Stoke. Given under the hand of Symon, Prior of Beverley and Archdeacon of Wells, at Trianon, the sixth day of November, in the fifth year of our reign."

DUGDALE makes the mistake in two places (Bar. i, 63, 601) of alleging that William Marshal, *the father*, married Alice, daughter of Baldwin de Bethune, and cites this very charter as his authority, though within a page of one of the passages he speaks of Alice as the wife of William Marshal the younger and sister of William de Fortibus the younger, and within a page of the other mentions the elder William Marshal's wife, Isabel, as having survived him. But the marriage of the son has been questioned, or at least spoken of by Duchesne, in his history of the House of Bethune, in doubtful terms, as if it were a notion peculiar to English genealogists, on the ground of the French family muniments making no mention of it. Mr. Planché, in the paper already quoted, comes to the conclusion that so far as the question depends on the age of the lady, the marriage was just possible, as her mother's first husband, William de Fortibus, died in 1195 (6 Richard I), and supposing she remarried with Baldwin de Bethune the same year, their daughter might have been born in 1196—that the above settlement was in the 5th John, 1204—and that she would therefore at that period have been in her sixteenth year, a marriageable age, and, if dead in 1219, might have attained

attained that of twenty-three. Mr. Planché's dates are not quite accurate, nor are the calculations from them in accordance with the generally received laws of arithmetic. Roger Hoveden, under the date of 1195 (p. 432, Sav. Scrip.), says, "in this year also died William de Forz, Earl of Albemarle whom Baldwin de Bethune succeeded in that earldom, by gift of Richard, King of England, and took to wife the Countess of Albemarle"—so that the marriage, as was often the case when the feudal lord claimed a voice in the disposal of a widow, may be supposed to have taken place very shortly after the first husband's death, which, adopting Mr. Planché's statement of the regnal year, was not later than July, 1195, and Alice may have been born in the first half of the following year, and at the date of the charter, 6 November, 1203, may have been some months more than seven years old. This was the age of consent to the actual marriage ceremony in the face of the church, constituting a valid marriage unless repudiated on the husband attaining fourteen or the wife twelve years of age: but the espousal, which so far constituted a marriage as to be a bar to any other without a papal dispensation, very frequently took place at a still earlier age. In fact the abuse, which had crept into the feudal system, of making the marriage of a ward a matter of pecuniary profit to the lord, openly bought and sold, and treated as the subject of valuation by a jury, made it the first object of parents to dispose of their infant children in marriage, in order to oust the lord's right. The cementing of foreign alliances was an equally powerful motive for these early marriages among princes, and the example of the highest classes led the fashion in cases where no such motives existed. King John himself was not seven years old when he was betrothed to Alice, the daughter of Hubert, Count of Maurienne, a lady of just his own age. Baldwin was only Earl of Albemarle, in right of his wife. He died in October, 1212, and on the 3rd November in that year his widow made fine for her dower, and paid an enormous price for a general licence to marry, or—what comes to the same thing—an exemption from the oppressive law by which she might have been again given in marriage against her will. She must have died within two years afterwards: for by a charter, undated, but printed in the Rotuli Chartarum between charters of 30 September and 28 October, 1214, the King granted to William de Alba Mara, her son by her first marriage, already spoken of as William de Fortibus the younger, livery of his mother's lands, on condition of his marrying Aveline, daughter of Richard Munfichet, and "saving the right of the daughter of Earl Baldwin, whom the said Earl had by the mother of the said William." Their daughter had therefore survived  
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to this date, when she may have been eighteen years old : and even if there were no further evidence of the marriage, there would be a strong presumption that she had long previously become the wedded as well as the espoused wife of William Marshal the younger, whom we find occupying a position in the army of the barons only to be accounted for by his being in possession of the estates acquired by his marriage. But the evidence is far from ending here : for in the following regnal year (17 John) Dugdale relates (*Bar. i, 64*), citing the Close Roll of that year, that William de Fortibus "fell off from the Barons' party, and adhered to the King, being with him in his expedition that very year when he made such spoil and rapine in the northern parts, and increased so much in his favour that he obtained a grant of all the lands which belonged to Alice, his sister, then wife to William Marshal the younger." Though William Marshal the younger was then in rebellion, there was no actual forfeiture of his estates ; and this grant was of course nugatory, but not the less important as evidence of the marriage. Mr. Planché speaks of the settlement as a gift "in frank almaine." This is a slip of the pen. There is no such term known to the law, and that bearing the nearest resemblance to it, frank almoign (*libera eleemosyna*—free alms, or a gift to pious uses), had no possible connection with the transaction under notice. What he meant to write was "frank-marriage ;" but even with this correction the transaction is not quite accurately described. The terms of the charter went beyond those incident to frank-marriage, and vested the estates in the intended husband in fee, in remainder expectant on the decease of Baldwin de Bethune. That this was so, and that the marriage actually took place, are conclusively shewn by a charter, 14 Hen. III, p. 1, m. 1, cited in *Dug. Bar. i, 603*, granted to William Marshal the younger, after his first wife's death and his subsequent marriage to the Princess Eleanor, confirming to him, among others, the very lands described in King John's charter as the lands of Baldwin de Bethune, to hold by the service of five knight's fees, provided that in case Eleanor his wife, sister to the King, should survive him, she should enjoy them during her natural life. An error once propagated is never thoroughly uprooted, and a doubt once raised is almost as difficult to dispel. To treat a question of this sort as still open has an appearance of candour, and saves trouble : but it is submitted that the evidence now collected ought to set at rest the question of this marriage.

WHEN, shortly after the accession of Henry III, Lewis was forced into a truce, the younger William Marshal was one of those who were induced to abandon

abandon the cause of the foreigners, and he had a principal command in his father's army in the victorious campaign which ended in the battle of Lincoln. His defection from the Dauphin was never forgotten or forgiven: for when, some years later, Lewis had ascended the throne of France, and William Marshal was sent, with the Archbishop of Canterbury, on an embassy to him, the French King refused him an audience, as a perjurer and breaker of his fealty. He not only made his peace with the young King's government, but obtained grants of the lands of some who had been more tardy in returning to their allegiance, including those of Saier de Quincy, Earl of Winchester; David, Earl of Huntingdon; William de Mowbray, and Gilbert de Gant: and Dugdale mentions incidentally twenty English counties in which he had possessions, exclusive of those derived from his father-in-law, Baldwin de Bethune. During the life of his father he could scarcely want a friend at court: but even after the death of the Protector he remained in favour, and did good service to the state. On that event the government fell into the hands of Hubert de Burgh, afterwards Earl of Kent, and Peter des Roches, Bishop of Winchester, the former as Chief Justiciary, and the latter as personal guardian of the King, then in his twelfth year. In 4 Henry III there is a warrant in the Close Rolls for a payment of 18d. for a messenger to Striguill, to Earl William, the Marshal, and in 6 Hen. III a similar warrant for 21d. for a messenger to Northampton, Gloucester, Hereford, and Striguill. In the latter year the Marshal was in active service. Divisions had arisen among the nobles, by reason of jealousy of the power of Hubert de Burgh. Llewellyn, Prince of Wales, availing himself of these causes of national weakness, and allying himself with Hugh de Lacy, Constable of Ireland, attacked the possessions of the Barons friendly to the royal cause, and especially the Earl Marshal, who to other causes of enmity added his retention of Caerleon, acquired by his father from Morgan ap Howel. The latter, having failed to recover it from the son by process of law, sought the alliance of the Welsh prince, who, while the earl was carrying on active operations against De Lacy in Ireland, avenged the cause of Morgan, took and burned Caerleon Castle, seized the castles of Aberteivi and Caermarthen, and put the garrisons of all of them to the sword. With all haste the earl returned to England, collected a large force, besieged and retook his castles, retaliating on the barbarities of the Welsh with equal ferocity, and eventually, being victorious in an engagement in which 9000 Welshmen were computed to have been slain or taken prisoners, he reduced Llewellyn to complete subjection, and compelled



compelled him to do homage to the King for all his lands, and to execute a grant and quit-claim in perpetuity to the Marshal himself of all the castles, lands, and appurtenances, which he had gained by conquest from the Welsh prince and then held by force. The retention by the Marshal of the lands actually conquered, while Llewellyn was to hold those remaining in his possession of the King himself, is an illustration worth notice of the rights of a Lord Marcher to make Welsh conquests on his own account.

ON the 22nd March, 7 Hen. III (1223), which was probably a little earlier than these events, is dated, at Strugulle, the confirmation charter from William Marshal to the Abbey of Tintern, by which, for the health of his own soul and the souls of happy memory of Walter, son of Richard, son of Gilbert Strongbowe, his ancestor, and of William Marshal, his father, and Isabella, his mother, and the souls of his ancestors, heirs, and successors, he granted lands of very considerable extent, which, as the charter states, the Abbey held of the donations of his ancestors or other founders or benefactors or of his own gift. His first wife had been dead several years: for it appears from a statement in Duchesne's History of the House of Bethune, quoted in Mr. Planché's paper, that property in Normandy devolved on John de Bethune, Bishop of Cambray, as nearest heir of his brother, Baldwin de Bethune, previous to 1219: but it is remarkable that among all the relatives past and future, whose souls were to have the benefit of the confirmation, she should not have received the compliment of being mentioned by name, or even comprized in the sweeping effect of its general terms, which, if the repose of her soul could have been effected for the same price, seems rather hard, considering the ample fortune she had brought her husband. He had no issue by her, and in the 10th Henry III (1225-6) he married the Princess Eleanor, the King's sister. The circumstances which led to this event are detailed in a letter written in the name of Henry III to his proctors at Rome, printed in Notes and Queries, 4th Ser., vii, 203, in which the King justifies a marriage which was evidently calculated to excite some jealousies among his own subjects and surprize among foreign powers. He says:—"When the Bishop of Norwich was Legate in England" (alluding to Pandulph, who died in August, 1226) "the Earl Marshal was still in possession of the royal castles of Marlborough and Ludgerhall, and was proposing to take to wife the sister of Earl Robert de Brus, and there were also other magnates in England who were trying to draw him astray from us by alliances to our wrong. . . . . It was feared this foreign alliance would give too free  
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an ingrefs into England to foreigners, especially when Richard Marfhal, the Earl's brother, held all his castles and honours in Normandy . . . . . whereas, if we gave him one of our fifters, the faid castles would be reftored to us . . . . . and other magnates would be induced by his example to give up the castles which they held. Confidering then the premifes, and our tender age, and the ftate of the realm, one of our fifters was, by the authority of the Legate and the counfel of the magnates, granted to the Earl Marfhal, on the terms that he gave his pledge to marry her, if it fo pleased us and the magnates of the realm. Our Jufticiary pledged himfelf to this conceffion to the Marfhal, if the magnates confented : and the Legate and Jufticiary and the others who were prefent faithfully promifed to ufe all diligence to get fuch confent. The faid castles were then reftored into the hands of the Legate on condition that if the contract was not fulfilled within a certain period, which has long paffed, they fhould be reftored to the Marfhal without difficulty. . . . . Afterwards, when certain quarrels had grown up, there were fome who difapproved, afferting, as will perhaps be faid in their behalf in the court at Rome, that we had no treasure of more value than the marriage of ourfelf and our fifters, and that therefore our fifters fhould be fo placed in marriage as to give us a great alliance in foreign parts. Thus the bufinefs remained long uncompleted. But when the Earl Marfhal had lately obtained an apoftolic mandate, addreffed to my lords of Canterbury and Salifbury, that they fhould either abfolve him from his obligation to marry our fifter or fhould fee the contract fulfilled, the Marfhal infifted that one of the two courfes fhould be taken forthwith, as he refufed to wait any longer for a wife. It was now feared that the Marfhal, who was a man of great power both in England and Ireland, fhould take to wife the fifter of the Earl de Brus, or the daughter of the Duke of Brabant, who had alfo been offered to him . . . . , or left he fhould marry the fifter of the King of Scotland, which would be ftill more dangerous for us. . . . . Confidering therefore the valour and power of the Marfhal, and the faithful fervice he has wrought in Wales, where he wrested from the hands of Llewellyn, Prince of North Wales, our castles, which but for him had been loft to us . . . . . and the great things which are expected from the Marfhal, it occurred to us and our council, after weighing all the circumftances, that we could not marry our fifter in any other quarter fo much to our profit and honour."

THIS marriage, inftead of binding the Marfhal more clofely to the royal caufe, had a directly contrary effect : for in the diffentions which in a year  
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or two afterwards arose between the King and his brother Richard, Earl of Cornwall, the Marshal, driven to choose between the interests of his two brothers-in-law, took very decidedly the part of the latter. But previous to these events circumstances had arisen to weaken his attachment to the King. Magna Charta, the cause for which he had taken up arms in his earliest manhood, was again in question. In 1224 the King, then sixteen years old, had procured a bull from the Pope, declaring him of full age, with the view to the strengthening of his hands against the Barons, who, during his minority, as alluded to in his letter to Rome, had refused to give up possession of the castles entrusted to them by his father. But for several years after this no practical change was made in the government, which was still carried on by Peter des Roches and Hubert de Burgh. In February, 1225, the King, making urgent request to his parliament for money, for the object, real or avowed, of an expedition for the recovery of the continental possessions lost by his father, was met by a demand that, being now declared of full age by authority of the Pope, he should confirm in his majority the liberties which he had granted in infancy. The request was acceded to, and new charters were issued under the great seal, dated the 17th February, 9 Henry III, and a fifteenth was granted by parliament. The expedition came to nothing, and it was sometime before the fifteenth was fully collected; but when this was accomplished, the young King under the advice, as it was believed, of Hubert de Burgh, determined to set at defiance all the charters granted by his father and himself. At a council held at Oxford, in February, 1227, he declared himself of full age to be released from all control of tutors, dismissed Peter des Roches from his court and from all public employment, revoked the forest rights granted during the two years previous under the Charter of the Forests, and declared that the liberties granted by that and the Great Charter had been granted while he was under the care of a guardian, and had no power over his own person or seal, and that he held himself at liberty, whensoever and wheresoever, and as often as it might be his pleasure to interpret, enlarge, or diminish those statutes by his free will, as should seem expedient for the security of himself and his land. No wonder if the principal barons took counsel together for the protection of the public liberties, and if their hostility was concentrated on Hubert de Burgh, who, while he had always been looked upon with jealousy by the English nobility, was now regarded as the responsible author of whatever evil acts were done in the King's name. Within a very few months an occasion for an open rupture arose in a dispute between Richard, Earl of Cornwall, and one Walleran, with  
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reference to a claim to the manor of Berkhamstead, in the discussion of which the King, taking fire at a phrase used by his brother, who expressed his willingness to abide by the decision of the King's court "and the magnates of the realm," ordered him to give up the manor or leave the kingdom never to return. The Earl peremptorily refused both alternatives—escaped from an intended arrest by the Justiciary—fled to William Marshal, whom Roger of Wendover calls his friend and sworn ally—and they, and Ranulph Blundeville, Earl of Chester, having taken mutual oaths of fidelity, issued letters to other nobles, the result of which was a large army assembled at Stamford in July, 1227, led by many earls and barons. They thereupon sent a demand to the King to repair the wrong done to his brother, which they imputed solely to the Justiciary, and moreover demanding in arrogant terms, and with the threat of compulsion by force of arms, that the Forest Charters, cancelled at Oxford, should be renewed under his seal. The King met them at Northampton, when an arrangement was made, which did ample justice to the Earl of Cornwall. Nothing is recorded of any mention of the charters, nor does any confirmation of them appear at this date; but verbally at least the King must have given satisfactory assurances, for the chronicler adds that thus peaceably all returned to their homes.

WE find no direct mention of any further differences between the King and his Marshal; but in a comparatively trifling matter we have an indication that he was for sometime looked upon not without suspicion. In the Close Roll, 11 Henry III (9 and 15 October, 1227) there are warrants to the Sheriff of Kent to deliver seizing to Reimund de Burgh, and account to him for profits, of the manor of Derteford, which had been seized into the King's hands in consequence of his having taken part in a tournament held at Strigoll contrary to the prohibition of our lord the King. It is interesting to call up in imagination an occasion when Chepstow was the scene where ancient chivalry displayed the pomp of her heroic games, which, as we shall see, exercised their full share of influence on the course of descent of Striguil Castle, no less than three of its lords having lost their lives either at tournaments or from accidents in jousting. They were introduced into England in the reign of Stephen, and expressly sanctioned by Richard I, by a charter dated 22 August, 1194, licensing them in five places designated, on payment of certain fees, namely from earls twenty marks, barons ten marks, landed knights four marks, and landless ones two marks. They were at all times consistently opposed by the church, whose duty agreed with its interest. They were contrary to God's law—they diverted the martial

martial spirit of the age from the prosecution of the more pious homicide of the crusades—and they brought no grist to the ecclesiastical mill. With our monarchs duty and interest were more divided. True these tournaments were morally wrong, and forbidden by Holy Church: but they promoted martial skill—kept the military force at home, or within call, for the defence of the realm—and, above all, they furnished the means of raising money. The result was a compromise. They were strictly prohibited unless held by royal licence, and the repeated remonstrances of the Church against the grant of such licences had little effect beyond that of enhancing their price, and the fines levied for holding tournaments without due authority. Moreover the sovereign had good reason for maintaining a control over these assemblages, as they were often made a pretext for bringing together an armed force, to the disturbance of the public peace, or for the prosecution of treasonable designs. After the events of the summer of 1227, the King was not unreasonable in refusing his authority for a tournament at Striguil in the following autumn. The offence of Reimund de Burgh was not that of individually taking part in a tournament without licence; for the writ speaks of its being held contrary to the King's prohibition: but we hear nothing of proceedings against any of the other combatants, or against their host; so that we may assume he lost no time in making his peace, and obtained forgiveness before any measures were taken against him. In fact he seems to have been taken again into favour. He accompanied the King in his military expedition into Brittany in April, 1230: for Roger of Wendover mentions an insurrection by the King of Connaught as having taken place on his hearing that the King of England and William Marshal were engaged in war upon the continent. When the King returned home, in October of the same year, he left the Marshal, along with the Earls of Chester and Albemarle, in charge of the forces which remained in Brittany. Gilbert, Earl of Gloucester, who had married the Marshal's sister Isabella, accompanied the King on his return, and died on the way home: and at Easter following his widow was married to the Earl of Cornwall, who thus became doubly related to the Marshal family.

THE nuptial festivities were scarcely over when William Marshal closes his days (according to Wikes on the 6th April), amid general regret, and Matthew Paris says that the King, who had an indissoluble affection for him, when he saw the corpse covered with a pall, exclaimed with a deep sigh, "Woe, woe is me. Is not the blood of the blessed martyr, Thomas, yet wholly avenged

avenged?" He was buried in the Temple Church, by the side of his father, on the 15th April, 1231, with a monument, still extant, and described among the other Temple monuments by Mr. Richardson, on which was inscribed, according to the *Annales Waverleienfes* (*Gale's Scrip. quinque*, 193), the following epitaph:—

"Militis istius mortem dolet Anglia, ridet  
Wallia, viventis bella minasque timeas."

rendered by Weever:—

"England laments the death of this brave knight—  
Wales laughs, he living did her so affright."

Against the authority of this author, and Roger of Wendover, Stanishurst, and after him Gough, in his additions to Camden, state that William Marshal, as well as his brother Richard, was buried in the Church of Kilkenny; but there is no ground of probability for this, unless it be the fact of his having founded the Dominican Abbey there, in 1225. He had no issue by either of his marriages. Eleanor, the King's sister, survived him. Her subsequent marriage with Simon de Montfort, notwithstanding her vow of widowhood, scarcely comes within the scope of the history of Striguil, except so far as concerns her claim of dower, in relation to the partition of the Marshal estates, which we may have occasion to mention in a future page. She does not appear to have held Striguil in dower, or we should have had to number Simon de Montfort among its lords.

WE find no mention when or why William Marshal left the army in Brittany, but from his death, within so short a period after the King's return, it may be inferred that the state of his health was the cause of his abandoning his command. There is some reason for supposing that his brother Richard, who succeeded him as Earl of Pembroke and Marshal, was also with the royal army, and in his capacity of hereditary marshal assumed a command: for in the same year, a truce having been arranged with the King of France, Roger of Wendover relates that the Earl of Brittany and the Earl of Chester, with Richard Marshal, returned to England from the continent, and were honourably received, and Richard Marshal, presenting himself to the King as the heir of his brother, William Marshal, offered homage for his inheritance, and to do whatever he was bound of right to do; to whom the King, by the advice of Hubert, his counsellor and Justiciary, answered that he understood the deceased's widow was pregnant, and that he could not  
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listen to him until the truth was known. He also accused the said Richard of having had conference with his public enemies in the parts of France, and therefore the King commanded him to leave the kingdom forthwith, never to return again, declaring that if after fifteen days he was found in the realm, he should be consigned to perpetual imprisonment. Richard then, when he could obtain no other answer, sailed to Ireland, where all his knights and his brothers, receiving him with joy, yielded to him all the castles which had been his brother's, and did homage and fealty to him. Having also received possession of his castle of Pembroke, with all the honour thereto appertaining, he collected a considerable military force, preparing to win his inheritance in defiance of the King, if necessity should require. In the meantime the custody of Striguil Castle had been committed to John De Monmouth (Dugdale's Baronage, i, 442). At length the King, changing his counsel and fearing a rupture of the peace of the realm, received Richard Marshal's homage and fealty, and granted him all his rights, saving the accustomed relief due to himself. For a short period he seems to have enjoyed all the influence due to his high position: for, in relating the events of the same year, Matthew Paris in one of his interpolations in the Chronicle of Roger of Wendover (Matt. Par. 254, Ed. 1644), attributes to his persuasion, together with that of the Count of Bretagne, the abandonment of the King's projected marriage with the sister of the King of Scotland.

ABOUT the same period as these events Peter des Roches, who on his fall from power, in 1227, had gone on a pilgrimage to the Holy Land, returned to England, and was received into the royal favour. The result of his struggle with Hubert de Burgh was that the latter, deprived of all his offices, called to pecuniary account for his dealings from the death of William Marshal the Protector, and accused of all sorts of crimes, real or imaginary, was compelled to take sanctuary at Merton, while his rival committed all the Great Offices of State and the custody of the King's castles to Poictevin adventurers, to the disgust and alarm of the great body of the English nobility. But as good is so often seen to take its rise out of evil, this state of affairs became the occasion of hastening a change, which from the accession of Henry II had been slowly in progress, but which it might have taken ages to complete. When Norman and Saxon forgot their differences, and united in the common cause of resistance to foreign influence, they had at length become an English nation. The Anglo-Norman nobles were no longer foreigners, and a great national party

party was formed, the acknowledged heads of which were Richard, Earl of Cornwall, Earl Richard the Marshal, William, Earl of Warrenne, William Ferrers, Earl of Derby, and John Lacy, Earl of Lincoln. The Earls of Cornwall, Warrenne and Derby, were brothers-in-law of the Marshal. The change in the position of Hubert de Burgh was very remarkable—not so much as regards the fall from power and wealth, of which history affords too many examples to call for extraordinary remark, as in the fact that, from having been an object of jealousy and dislike to the English nobles, his cause had become to some extent the cause of the national party. After a series of adventures in prison and sanctuary, he purchased a certain amount of indulgence by surrendering to the King a large sum of money, which had been deposited for safe custody with the Master of the Temple. The proceedings against him were stayed, and he was committed to the Castle of Devizes, under the nominal custody of four of the earls above named, who made themselves responsible for his safe keeping. The account of the affair given in the nearly obsolete edition of Robert of Gloucester (p. 523, Hearne's ed.) is more curious than accurate :—

“ He was in prizon in the castel of the Vise,  
 And was bitake four erles to witie<sup>1</sup> withoute faile,  
 The erl of Warene and Richard erl of Cornwaile  
 And Richard the Marſchal and the erl of Cheſtre Jon,  
 So that hii founde kniztes, ech of hom on,  
 To witie<sup>1</sup> him in prizon, and zut vor ech on  
 He of ſcapede to churche as him thozte beſt won.  
 With ſtrengthe he was out idrawe, and fute to the caſtel  
 Of Storgoil he was ilad, and iwuſt<sup>1</sup> there wel.”

But events had happened in the meanwhile, the result of which was that De Burgh ran little risk of being “iwuſt well,” or treated otherwise than as a welcome guest, in “the castel of Storgoil.” By the beginning of 1233 the oppressions of the King's Poictevin favourites had become past endurance. Roger of Wendover, after giving a vivid picture of the state of the kingdom under their rule, relates that Earl Richard, the Marshal of the Kingdom, seeing how the people, gentle and simple, were oppressed, and the laws of the realm being destroyed, incited by zeal for justice, boldly approached the King at the head of several of the great nobles, and loudly and publicly reproached him with having by evil counsel patronised these Poictevin strangers, to the oppression of the realm and of his natural subjects and their laws and liberties, humbly praying him that he would hasten to correct such excesses

<sup>1</sup> *Witie*, to keep, of which *iwuſt*, in the last line, is the past participle.



excesses, by which the subversion of his crown and kingdom was threatened, in default of which he declared that he and the other nobles of the realm would withdraw themselves from his counsels so long as he held communication with the foreigners. They were met with a haughty answer, through the Bishop of Winchester: and Earl Richard Marshal and the other nobles, retiring from the court in excitement, entered into firm engagements with each other that for this cause, which touched them all, they would manfully fight to the dissolution of soul and body. The King summoned a conference, but the nobles peremptorily refused to attend it, demanding the immediate dismissal of Peter des Roches and the other Poitevins, under threat of driving himself and his counsellors from the kingdom. A further conference was summoned for the 1st of August, which the nobles prepared to attend in strong military array, and the Marshal among the number; but being warned by his sister, the Countess of Cornwall, who had obtained intelligence of an intention to arrest him, he fled into Wales. Her being possessed of this intelligence indicates that her husband had already withdrawn from the confederacy. If not, he very shortly afterwards gave his adhesion to his brother's party; and the Earls of Chester and Lincoln were also gained over, as it was said, by bribes. The conference of the 1st August came to nothing in consequence of the absence of the Marshal and others: and summonses were issued to all who owed knight service to meet at Gloucester on the 21st of the same month. The object was to furnish grounds for hostile measures against the defaulters, and on their non-attendance the King, without any form of law, declared them traitors, and their estates forfeited, and proceeded to besiege their castles, burn their villages, and destroy their parks and warrens. The Marshal, on hearing of this, entered into alliance with Llewellyn, Prince of Wales. The King sent to the Marshal a formal defiance, by the Bishop of St. David's, and without delay entered upon his territories, and laid siege to one of his castles, the name of which the chronicler professes not to remember. Is it possible that he shrank from encountering the spelling of Striguil? The geographical position with reference to Gloucester, which was the King's base of operations, renders it not improbable that this or Goderich was the castle referred to.<sup>1</sup> After assailing it for many days with little

<sup>1</sup> Since the above was written Mr. Clark's papers on the Land of Morgan have appeared in the *Archæological Journal*. At vol. xxxvi, p. 121, he states the castle to have been Usk. He does not give the authority for the statement, but I should have been ready to accept it on his own had it not been that for reasons given in our third chapter. I am not satisfied that Usk was even a possession of the Marshal family.

little or no progress, and the provisions of the besiegers beginning to fail, the King sought means of putting an end to the siege without loss of credit, and through the mediation of certain bishops it was arranged that, to save the King's honour, the castle should be given up to him, but restored in fifteen days, and all the grievances of the kingdom remedied, for which terms Peter des Roches and Stephen Segrave, the Justiciary, became sureties for the King, and pledged their oaths; and an appointment was made for the Marshal and his associates to meet the King at Westminster for that purpose at Michaelmas following. The fifteen days elapsed, but the King and his advisers laughed at the demand to restore the castle, and threatened to reduce all the rest of the earl's castles, whereupon he laid siege to his own castle, and succeeded in retaking it. The King wished to have him excommunicated, but it was found that the ecclesiastical law presented difficulties in excommunicating a man for entering into possession of his own house.

At this point we must return to the affairs of Hubert de Burgh. Trustworthy intelligence reached him of a scheme of Peter des Roches to obtain charge of the Castle of Devizes and put him to death. Two of the garrison, eluding the vigilance of the rest, carried him by night, fettered as he was, out of the castle to the parish church, and set him before the great altar, from which he was forcibly taken next day and lodged in the castle, with his liberators, in stricter confinement than before: but on the Bishop of Salisbury excommunicating all who upheld this breach of sanctuary, he was restored to the church, which was however strictly blockaded, in order to starve him out. So far we have followed Roger of Wendover: but here the Chronicle of Thomas Wikes (Gale's *Scrip. quinque*, 42) more circumstantially takes up the story:—  
 "Early one morning Gilbert Basset and Richard Siward, with an ample force of armed men, sent by Richard Marshal, in spite of the guards, who were neither strong enough to hinder them nor dared to murmur, armed Hubert in the church, made him mount a war-horse, and with strong hand brought him against his will,<sup>1</sup> to Austclive (Aust Cliff), where, vessels being in readiness, they crossed the arm of the sea there situate, and lodged Hubert safely in the Castle of Strugoyl, standing on the opposite side of the water, while his guards, who had followed

<sup>1</sup> Unless he was more ignorant of what had been going on in the outer world than we suppose him to have been, it is not very evident why the proceeding should have been against his will. Possibly "*eo nolente*" is a misreading of *nolente*, i.e., *volente*, the *n* and *u* in ancient manuscripts being absolutely undistinguishable.

followed them with the power of the county and great outcry, returned in disgrace and confusion. If any further argument or evidence had been needed of Chepstow Castle, and not the Wentwood fortrefs, being that to which the ancient name relates, this passage (of the book or the ferry as the reader may please) might have been added to the proofs adduced by Mr. Ormerod. Roger of Wendover merely states that the ex-Justiciary, being snatched from the Church of Devizes by a friendly force of armed men, and properly clad in military apparel, was brought to Wales, and joined the King's enemies about the first hour of the day, on the 30th October, 1233.

FROM this period we hear little of the Marshal's allies among the English nobles, and the contest became more and more one between the King and his foreign favourites on the one side and Richard Marshal and his Welsh allies on the other, each party attacking and ravaging the castles and possessions of their enemies, but the balance of success remaining very much in favour of the Marshal. Many pages of Roger of Wendover might be extracted relating to these events, but we must have some regard to the proportion of space to be devoted even to a hero like Richard Marshal, the relation of whose exploits reads more like a chapter from the Seven Champions of Christendom, than an episode in English history. We can therefore only notice, by way of summary, how, while the King lodged in the Castle of Grosmont, the forces of Llewellyn and the Marshal (the latter abstaining from any attack on the King's person) surprized the royal camp outside, seized their horses and baggage, and dispersed the army almost naked—how he defeated the royal troops at Monmouth—how he met an intended surprize by John of Monmouth by surprizing the surprizers, and ravaged his territory till he was reduced from affluence to beggary; how the possessions of the Earl of Cornwall, Stephen Segrave the Justiciary, and the Bishop of Winchester were similarly despoiled, Shrewsbury burned, and the whole region between that town and the borders of Wales laid waste, until the chronicler says that such a multitude of the foreigners lay slain in the roads and other places as to taint the air of the whole district, so that the dead killed the living. We will give, at all events, a specimen of the exploits of this English paladin. While reconnoitering with a hundred men in the neighbourhood of Monmouth Castle, which was held by a distinguished Flemish knight, named Baldwin de Gyfnes, the latter sallied out, with a thousand well-armed men, thinking to make prisoners of the whole party. The Marshal's companions urged him to fly, very reasonably representing that to contend with such numbers

numbers was rash and illadvised. He answered that he had never yet turned his back on his enemies in fight, and he was not going to begin now, and exhorted them manfully to attack the enemy. A vigorous conflict with sword and lance ensued, and in spite of the difference of numbers, the earl's little band sustained the unequal contest for the best part of a day, until Baldwin de Gyfnes, with twelve of his stoutest warriors, assailed him individually, hoping to end the affair by carrying him off into the castle; but he kept them at a distance, sweeping right and left with his sword, and making frequent draughts of enemies' blood. Thus, one against twelve and twelve against one, the contest continued. At length, not daring to approach him at close quarters, they killed his horse with their lances; but he, well skilled and experienced in Gallic warfare, seized one of the hostile knights by the foot, and vigorously threw him from his horse, and then, vaulting into the vacant saddle, defended himself more actively than ever. Then Baldwin, being a puissant knight, and ashamed to see the earl defend himself against such odds, violently closed with him, and, seizing his helmet, twisted it with such force that blood issued from his mouth and nostrils, and snatching the horse's bridle, began to drag him towards the castle, while the others forced him on from behind: but although in such a strait, sweeping round with his sword he laid two of his enemies stunned on the ground, but was unable to disentangle himself from them. One of his cross-bowmen, seeing the perilous position of his lord, discharged an arrow at Baldwin, which pierced his breast notwithstanding his armour, and his companions, supposing him to be mortally wounded, left the Marshal to go to his assistance.

THE King, finding himself the loser rather than the gainer by these hostilities, and having failed in all attempts to induce the Marshal to submit himself to the royal clemency, retired with shame from Gloucester about January, 1234, when a villainous scheme was devised by Peter des Roches and his confederates for accomplishing by treachery what they could not effect by force. They wrote letters in the King's name, to which, if his subsequent denial of complicity is to be believed, he was induced to affix his seal in ignorance of their contents, addressed to Maurice Fitz-Gerald, the King's Justiciary in Ireland, and grandson of Strongbow's feudatory, and other noblemen there, the pretended but treacherous friends of the Marshal, promising all his Irish estates, to be divided among them, if they would take him dead or alive in the event of his landing in Ireland. They at once invaded his territories, rightly calculating that

that he would not be long in coming to defend his own possessions, which he did without delay, leaving his English affairs, which had become less pressing in consequence of the King's abandonment of operations in the west of England, in charge of Hubert de Burgh, with Richard Siward and Gilbert Basset. He besieged and took Limerick, regained some of his own castles, and took others belonging to the King, and was pursuing a successful career, when the Irish nobles proposed a truce until they could learn whether the King meant to defend Ireland or not. Under the treacherous advice of Geoffrey de Marisco and others, he first refused the truce, and afterwards agreed to meet the hostile nobles in conference. He attended the conference with a retinue of fifteen faithful adherents and about eighty of his own knights holding lands under him in Ireland, who, along with Geoffrey de Marisco, had planned his destruction, and were in confederacy with his enemies, who attended with a hundred and forty picked knights. The proposal of a truce was a mere blind. When the Marshal had inclined to grant it, the traitor, Geoffrey, had urged him, almost with reproaches for cowardice, to refuse, telling him that if he assented he was not like the unconquered William Marshal, his father, who, wise and prudent in peace and peerless in war, surpassed in prowess all the soldiers of the west. But now, when his victim was completely surrounded by his foes, the traitor as strongly urged compliance with the demands of the enemy, declaring that his own relationship to some of the nobles would prevent his fighting against them. The Marshal saw too late that he was betrayed. "Wicked traitor," he exclaimed, "have I not just refused the truce on your advice, contrary to my own desire? It would be the part of a vacillator to grant now what I have just denied, and I should appear to be acting from fear rather than good will. I know, I know that I am to-day betrayed to my death; but it is better to die with honour in a just cause than to fly from the field, and be for ever a disgrace to knighthood." Then, seeing his brother Walter, a very handsome youth, he said to some of his servants, "Take my brother to my castle close by, that almost all my race may not be extinguished in this fight: for I trust that if he shall attain to a due age, he will become a gallant knight." Those who are not deterred by the uncouth diction of Robert of Gloucester may like to compare his spirited description of the same scene (p. 525, Hearne's ed.) with the narrative we have condensed from the accounts of the prose chroniclers:—

Wat

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"Wat seiste," quath this gode erl, 'wan Richard the Marichal  
 Upe is ftede iarmed is, and atiled thoru out al,  
 And toward is fon in the feld hath his womb iwent  
 Sfold he turne hom is rug? he nas nevere so ifsent.  
 Vor he ne dude it nevere, ne nevere iwis ne fial.  
 Fram fuch fendneffe Crist ffulde Richard the Marfal.'"

The fight which ensued might serve as a companion picture to that before the walls of Monmouth. With his fifteen faithful knights—all the others having, in modern phrase, fraternised with the enemy—he mowed his way through the hostile ranks. After slaying several with his own hand (Roger of Wendover says six but Matthew Paris altered "*sex milites ex eis*" to "*aliquot ex eisdem*"—an instance of care which entitles the rest of his narration to the more credit) he was encountered by an Irish knight of great prowess, fighting in the borrowed armour of Richard de Burgh: but the Marshal nearly severed both of his mailed hands with a blow of his sword. Another, seeing his companion thus maimed, struck the Marshall with all his might on the head, but his helmet saved him, and he severed his assailant's body down to the waist, or, as Matthew Paris has it, cut him wholly asunder with three blows. After this none dared to close with him for a good part of the day, but at length a host of his enemies, surrounding him with lances, pitchforks, hatchets, and battle-axes, cut off his horse's feet, and brought him to the ground after he had fought for ten hours. While thus overpowered, one of the enemy, raising his mail shirt behind, plunged in his person to the hilt a weapon which Matthew Paris, again supplying details omitted by his author, calls an "*anelace*," but which was no doubt the "*skean*," which to much later times has been a national weapon of the Irish. Mortally wounded, he was conveyed a prisoner to one of his own castles, where he lingered for sixteen days, under treatment so horrible as to suggest, even to a medieval chronicler, a doubt whether it was to be attributed to the barbarous surgery of the period or a deliberate design to murder. He died on the 16th of April, 1234, and was buried in Kilkenny, in an oratory of the Minorite brethren. There is some mention of his having a wife, Gervasia (Lib. de Antiq. leg. xviii), but he left no issue. His character is thus summed up in the Annals of Waverley:—"A man conspicuous for all virtues, illustrious for noble blood, remarkably learned in the liberal arts, of great prowess in the exercise of arms, in all his works having God before his eyes—foreseeing and fearing the destruction of the King and realm, but exposing himself to hazard that he might restore peace and concord, he opposed himself

himself, as a wall, between the King and his counsellors." The same chronicler preserves an elegy on his death, which, as a specimen of the leonine verse of the period, may be worth quoting, though scarcely worth translating, as the peculiarity is rather of rhyme than reason:—

"Livor edax, morum subversio, fax vitiorum,  
Vitricus Anglorum, rapuit solamen eorum.  
Principis abque pare, gens livida mentis avaræ  
Præsumpsit, claræ decus indolis anticipare.  
Anglia plange, Marecallum plangens lachrymare  
Causa subest, quare, quia pro te planxit amare.  
Virtus militiæ, patriæ protectio, gentis  
Fraude ruit propriæ. Miserere Deus morientis. Amen."

His earldom, estates, and honours devolved on Gilbert, the third son of the Protector. He was a man very different from his brother, for he is described as diminutive in person, weak, and unfit for martial exercises, for which reason he was originally destined for the church; but this intention must have been abandoned early in life; for he had married one Maud de Lanvaley (Lib. de Antiq. Leg., xviii), who had probably left him a widower before his accession to the earldom. Dugdale (Bar. i, 606) makes his marriage to her subsequent to his marriage (to be presently noticed) to the sister of the King of Scotland, and says it was without the King's licence, for which transgression his lands were seized: but the date of the authority cited (Rot. Fin., 14 Hen. III) sufficiently refutes this.

It was about the period of Gilbert Marshal's accession that the power of the King's evil genius, Peter des Roches, was tottering to its fall: but, among the rather confused statements of the chroniclers, it is difficult to make out the precise sequence of events. By the mediation of the Archbishop of Canterbury a truce was arranged with Llewellyn, by the terms of which the proscribed lords were to be restored to their possessions, and a council was accordingly summoned to meet at Gloucester on the 22nd of May, to which all were invited to come under the safe conduct of the Archbishop and Bishops. But even before the return of the King's emissaries from their mission to Llewellyn news was brought to him at Woodstock of the Marshal's death, when, to the surprise of all present, he burst into tears and lamentation, declaring that he had not left in the kingdom a knight of equal worth; and, instantly summoning the priests of his chapel, ordered a solemn

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solemn funeral service to be chanted for his soul, and the following day, after mass, bestowed large alms on the poor, mourning, as Matthew Paris observes, as David did the deaths of Saul and Jonathan. At the council at Gloucester a general reconciliation between the King and his nobles took place—the forgery of the King's letters was exposed—Peter des Roches deposed from office—Hubert de Burgh, Richard Siward, and Gilbert Basset admitted to the King's counsels—and all the proscribed nobles restored to their possessions. To the same council came Gilbert, the brother of Earl Richard, the Marshal, intimating the death of his brother, and petitioned to be admitted to his inheritance, offering his homage, and whatever else he was bound to do to the King as his liege. Then the King, with the advice of the Archbishop, restored to him all his inheritance, as well in England as in Ireland, and received his homage, and afterwards, on the day of Pentecost, at Worcester, girt the said Gilbert with the belt of knighthood, delivering to him the Rod of the Marshalsea of his court, according to custom, and as well and freely as his ancestors had held it.

THIS is the first mention we find of the delivery of the rod, which was the symbol of the office of Marshal of the King's house, held by the Marshals of Hempsted Marshal before their alliance with the house of Strongbow. It was in fact this rod (virga), which gave the name of the Verge to the jurisdiction of the Marshal, within twelve miles from the King's court. From no mention being made of the Marshalship of the King's host, we may infer that at this period the distinction between the two offices, with titles so nearly similar, had been lost sight of, and when united in the person of a nobleman of the political importance of the Great Protector, the various duties and powers incident to both offices were attributed, without much regard to the origin, to one great officer, known generally, and even spoken of in official documents, as the Earl Marshal, though I have avoided as much as possible so designating him, in order not to create confusion with the new office created by Richard II. It was in fact the union of the name of the office with the personal rank of its holder, just as Her Majesty's Lieutenants of Counties are called Lords Lieutenants because the office is usually held by a peer. Other causes contributed to the confusion which exists, and which, in spite of all that has been written on the subject, renders it, if not impracticable, at least beyond the writer's powers, to trace at the present day the very numerous offices to which the title of Marshal was attached. Apart from the duties of marshalling the



the forces, leading the van in the King's army, and performing the duties of the officers who in modern times are called the Provost-Marshal and Quartermaster General, the Marshal of the King's host was associated with the Constable, to constitute a court for the decision of all matters military, and the regulation of judicial combats. The Marshal of the King's house, in like manner, was associated with the Steward, to constitute a Court for the decision of all questions arising within the Verge, and he had the custody of the King's prisoners, and was the executive officer of the Aula Regis. The discharge of these duties, especially when the functions of the Aula Regis were divided among various courts, rendered absolutely necessary the employment of deputies.<sup>1</sup> Independent of this necessity, it is the natural tendency of great offices to become sinecures, the holder retaining the emoluments, while his deputy is paid by a salary. He, in his turn, employs subordinates, while he exacts fees, which in time ripen into usage, and his office becomes one of profit—is made the subject of traffic—and is perhaps eventually absorbed in the higher office from which it has originally sprung. As an illustration of this we may take a charter, dated 20 April, 1 John, already referred to in speaking of the question of grand serjeanty, whereby the King grants to William Marshal, Earl of Pembroke, and his heirs "the Mastership of the Marshalsea of our Court (*magistratum marescalciæ curiæ nostræ*), which Gilbert, the Marshal of King Henry, my great grandfather, and John, the son of the said Gilbert, had in litigation before the said King Henry, in his court, against Robert de Venoiz and William de Hastings" (*Rot. Chart.* 1 John, p. 46). Hence we have such titles as "Marshal of the King's house," "Marshal of the King's court," "Marshal of the Marshalsea," "Marshal of the Marshalsea of the King's court," "Marshal of the Marshalsea of the King's house," and a host of others, some of which I will not venture to translate, as for instance "*Hostiarius Marescallus*," "*Marescallus Forinsecus*," &c. Others, such as "*Marescallus Avium*," explain themselves, and the officers executing the subordinate duties connected with the office, down to the very doorkeepers of the palace, were known as Marshals, with or without distinctive additions to their title. There can be no question that Gilbert Marshal succeeded, as both his elder brothers had done, not only to the office of Marshal, but to all the offices held in connection with it by their father, and that all these offices, from this period to the reign of Edward II, passed by investiture with the rod.

THESE

<sup>1</sup> One of Richard Marshal's personal grievances against the King was his dismissal of William de Rodune, a knight who acted as deputy of the Grand Marshal in the King's Court.

THESE considerations enable us with certainty to assign to Gilbert Marshal the "Ufages que Gilbert, Counte de Striguil, clamoit a ufer par l'office Marefchalfie," referred to in our chapter iii (p. 52): for the claims are such as could only have been made after the union of the two principal offices. The document is too lengthy to be transcribed here, though otherwise very suitable for our purpose. Of the forty-six clauses of which it consists, the first thirty-two relate to duties at court—the next twelve indicate an origin in the Marshalship of the King's host—while the last three relate respectively to the Marshal's duties in the King's Bench and Exchequer, and the Court of the Steward and Marshal. But the clause as to the duties of the Marshal at coronations affords a more striking illustration of our point. He is to stand next to the King—to bear in his hand the royal crown—to assist in setting it on the King's head—and when so placed hold it by the flower in front, to sustain the crown, *for that he is Marshal in peace and in war*—and no lay person, except the Marshal, has a right to touch the crown. The words in italics are an evident allusion to the double origin of the office.

A writ of Henry III, dated at Tewkesbury, the 6th June, 1234, and printed in the Archaeological Journal, xx, 165, recites that Gilbert Marshal and his brothers, Philip Basset, Richard Siward, and all the adherents of Richard Marshal, in England and Wales, had entered into the King's peace, and been received into his grace and favour, giving him security that in future they would do no injury to his realm. The security given by Gilbert Marshal was the delivery of his Castle of Striguil into the hands of the Archbishop of Canterbury, and his Castle of Dumas, in Ireland to the Archbishop of Dublin: but the King had so great an affiance in his loyalty that he gave them back to him again, expecting that this great instance of his favour should thenceforth oblige him to a perfect amity with the rest of the nobles, both of England and Ireland, betwixt whom and him there had been formerly very high animosities (Dugdale's Baronage, i, 605, citing Pat. 18 Henry III, m. 6). He had shortly afterwards extensive grants of lands in England and Wales.

IN the year following his accession to his earldom Gilbert Marshal was accused, but satisfactorily cleared himself, of the murder of one Henry Clement, an Irish clerk, who, imprudently boasting of having been one of Richard Marshal's assassins, was himself murdered in London. In the same year we have a notice of the Marshal, in Messrs. Morgan and Wakerman's

Notes

Notes on Penhow Castle, entering into a formal agreement with his feudatory, Sir William St. Maur, to assist him in a predatory attack on Morgan ap Howel, the Welsh lord of Caerleon, in order to wrest from him the manor of Undy, the terms being that the plundered territory was to be divided between the conquerors. The same fact is mentioned in Camden's *Britannia* (p. 634, ed. 1610): and the *Brut y Tywyfogion* records, under the date of 1236, that "Gilbert Earl of Pembroke obtained through treachery the Castle of Morgan ap Howel, in Mechain (Ymachen, or Ymeichein), and when he had fortified it, he restored it back for fear of Llewellyn ap Jorwerth."

THE coronation of Queen Eleanor was celebrated on the 20th of January, 1236, with all the splendour and ceremonial of a royal coronation. The suggestion offered in previous pages that the claim hitherto attributed to Gilbert Strongbow is to be assigned to Gilbert Marshal renders it desirable to ascertain what part he took in the ceremonial: but the only information found on the subject is that Matthew Paris speaks of him as carrying his rod before the King, clearing his way both in church and hall, and arranging the banquet and guests at table: and there is printed in Hearne's *Discourses* (ii, 144) a return to a writ of 18 Edw. III to the Treasurer and Barons of the Exchequer, directing enquiries as to the fees and duties of the various offices connected with the Marshalsea. It quotes from the Red Book of the Exchequer, in which are recorded how the officers and servants of the King served, and what belonged to their offices on the day of the coronation of Alienor, formerly Queen of England, wife of King Henry, son of King John, that "*de officio marescalciæ servivit Gilbertus Mariscallus, comes de Strigul, cujus est officium tumultus sedare in domo Regis, liberationes in hospitio facere, ostia aulæ regis custodire. Recepit autem de quolibet barone facto milite a rege et quolibet comite eo die palefridum cum sella.*" There is nothing mentioned here beyond what must have been the ordinary duties of the Marshal of the King's house.

HAVING survived his first wife, he married, in the year 1235, Margaret, the sister of Alexander II, King of Scotland, an alliance which sufficiently accounts for his losing favour with the English King, as dissensions very soon afterwards arose between the two sovereigns, which in the following year threatened an open rupture. Matthew of Westminster (p. 298, ed. Franc., 1601) attributes to Henry's jealousy of the Marshal, whom, along with Richard,  
Earl

Earl of Cornwall, and some others, he considered ungrateful to him, the step which he took, in 1237, of requesting the Pope to send a Legate to England. This step was the first to a renewed breach between the weak and vacillating sovereign and the English nobles, to whose influence it was intended as a counterpoise. He had again placed himself under the influence of foreign favourites, and when he gave his sister, Eleanor, the widow of William Marshal the younger, in marriage to Simon de Montfort, notwithstanding her vow of widowhood, the Earl of Cornwall placed himself at the head of a league of nearly all the Earls and Barons, as well as the citizens and people generally, for the redress of grievances. In this league he was joined by the Marshal. The Legate interposed, and at a council, or rather a meeting of armed nobles, with the King, in the spring of 1238, terms of accommodation were arranged: but in fact the league fell through in consequence of the reconciliation of Simon de Montfort with Earl Richard, who thus a second time deserted his party, and became an object of general suspicion. We do not hear of any overt act of disloyalty on the part of the Marshal, but in the incidents just noticed there is sufficient to account for the King's displeasure. The Christmas of 1238 according to our reckoning (1239 according to the chroniclers who commence the year with that festival) was kept by the King at Winchester with much state, and as he was about to sit down to dinner Earl Gilbert sought admittance at the door along with his fellow-knights: but the King's officers rudely repulsed him, and, using their wands as cudgels, insolently drove away his retinue. The Earl saw plainly that this was done by the King's directions, but concealing his annoyance, he retired to his own quarters, and held a Christmas festival of his own, to which he invited all comers, by sound of trumpet. On the morrow he sent some persons of distinction to the King, to ask for an explanation why, without cause, he had put such an affront on a loyal subject of such noble rank, and to declare his readiness to meet his accusers. The King, with much excitement, answered, "How came Earl Gilbert by his horns, and how comes he to lift his heel at me, against whom it is hard for him to kick? I took his brother, Richard, that bloody traitorous Earl, a rebel against me and my kingdom, waging deadly war against me in Ireland, and, justly deprived of his inheritance, he was kept in prison, until by the judgment of God he ended his life: and to this Earl Gilbert, through the unfortunate request of the Archbishop, I granted by favour, and not through his deserts, the inheritance which I would rather have withheld." Earl Gilbert, on receiving this message, lost no time in withdrawing to the  
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North. I know not how to reconcile the above incident, recorded by Matthew Paris, with the fact, alleged by the anonymous chronicler known as Matthew of Westminster, that the Countess of Pembroke was one of the ladies who, at the christening of Prince Edward, on the 17th of June following, had the honour of bearing "the greatest of the Plantagenets" to the font. The earl himself had not at that time been reinstated in the royal favour; or, if he had, he gave some new cause of offence; for at the beginning of the following year the King brought a criminal charge against him, the nature of which Matthew Paris thought it judicious to leave unexplained, and appointed a day for him to answer, in the octaves of Easter, previous to which he succeeded in making his peace, through the intercession of the Earl of Cornwall, purchased, as Matthew Paris hints, for a large sum. About the same time we find the King mediating a peace between Earl Gilbert and Maurice Fitz-Gerald, accused of complicity in the murder of Richard Marshal, which he strenuously denied, but for the sake of amity promised the building of a monastery for Earl Richard's soul.

If Gilbert Marshal was in person such as he is described, it is remarkable that we should find him displaying a fondness for the tournament: but it is not unusual for persons to covet a reputation for accomplishments in which they feel conscious of a deficiency. He was one of the noblemen who were to have taken part in a tournament à l'outrance, to have been held at Northampton, on the 14th April, 1241, to which Peter of Savoy, Earl of Richmond, had challenged Roger Bigod, Earl of Norfolk—a name of which we shall hear more presently. The match being one which involved the credit of the foreign and English parties, the King was weak enough not only to take sides with the former, but to take underhand steps for gaining over some of the most formidable of the English to fight on the foreign side; which gave rise to so much ill-feeling that at the last moment the King thought fit to countermand the tournament altogether. It was very probably this event which led the English nobles to project a tournament among their own party, free from the interference of the King and his foreign favourites, and it was held accordingly, without the royal licence, at Ware, on the 27th June, 1241, when Earl Gilbert gained much distinction "considering his size." He was mounted on a noble Italian charger, to which he was a stranger, and clad in handsome armour, and while urging his horse to speed and suddenly checking him, the bridle, either  
from

from accident, or, as some declared, from having been maliciously cut, gave way just at the bit, and the horse, becoming unmanageable and tossing his head, struck his rider a violent blow on the chest. The Earl, stunned by the blow, oppressed by the weight of his helmet, and blinded with dust and perspiration (the affair, moreover, as the chronicler observes, taking place after dinner), became unsteady, and eventually fell fainting from his horse, and was dragged for some distance by one foot in the stirrup, receiving internal injuries from which he died the same evening. His bowels were buried before the altar of St. Mary, in the Monastery at Hertford, and his body was the next day conveyed by his brother and all his family to London, and interred near his father, in the Temple Church. The monument assigned to him is extremely interesting. It is figured, and minutely described, in Richardson's work on the Temple Monuments. Earl Gilbert had himself taken the cross, along with the Earl of Cornwall and others, in 1236, and was to have set out on his crusade the very next month. His wife, Margaret, survived him, and died on St. Hugh's Day, 1244: but he left no issue by either of his marriages. He appears, from a marriage contract referred to in some legal proceedings between him and Maelgwn ap Maelgwn ap Rhys, to have had a daughter Isabella contracted to be married to a son of the latter, but she must have died in her father's lifetime.

WALTER Marshal, the next in order of the Protector's sons, we have already made mention of in connection with the tragical scene of his brother Richard's murder: and from the terms in which he is there spoken of there appears to have been a great difference in years between them. He must have had considerable military experience, having been entrusted with the command of the forces of his brother Gilbert in Cardigan in successful operations against the Welsh princes. Walter did not without difficulty obtain possession of the estates which devolved upon him by his brother's death. They were taken into the King's hands, and the writ is extant by which John de Monmouth was directed to take possession of the castles of Strigoyll, Usk, and Kareloun, and is dated 25 Henry III (Rot. Fin. i, 347). How Caerleon came into the possession of the Marshals we have seen; but the mention of the Castle of Usk is one of the difficulties incident to the suggestion, in our chapter ii (p. 41), as to the charter to Usk Priory. Gilbert Marshal had had the guardianship of Richard, sixth Earl of Hertford and second of Gloucester, or at least the custody of his honour of Glamorgan during

during his minority, but that must have terminated at an earlier period. It is fair to mention the difficulty, but its connection with the history of Striguil is very slight.

THE scene with the King, on Walter's claiming livery, shows in its most contemptible light the character of that mean and vacillating sovereign. "Your father, William," he said, "not without indication of treason, prevented Lewis from being taken in England. Your brother Richard was taken and slain in arms against me, a public enemy and notoriously deadly foe to me. Your brother Gilbert, to whom, at the instance of the Archbishop of Canterbury, by favour rather than of right, I granted his inheritance unhappily, tourneyed at Hertford contrary to my prohibition, and came to a miserable end; and you, Walter, who, in despite and contempt of my prohibition, took part in the same tournament, with what reason and with what face can you ask for your inheritance;" To which Walter answered—"Although, my liege lord, I could give a sufficient answer to each allegation, I bow to your highness. You have hitherto nursed me in the bosom of your special kindness, and I have been reputed as one of your household, and not the last among the guests at your table. I have never done anything to deserve the loss of your favours, except that I took part, as I do not deny, at that tournament with my brother, from which I could not absent myself, but if you determine to disinherit all who were present, you will excite no small commotion in the realm. Far be it from a just prince that I alone should expiate the faults of all, and that among so great a number I should be the first to be punished." He did not succeed at that time in mollifying the angry King, but shortly afterwards the Bishop of Durham, who had great personal influence both with the King and the Queen, and was induced to exercise it by the latter and many of the nobles, succeeded in effecting a reconciliation, and on the Sunday before the feast of All Saints the King invested Walter with the Earldom and Marshal's office, and all his brother's estates, except the castles of Kairmardif and Cardigan, which were retained for military reasons, and allowed him to do homage to the King of France for [his] continental possessions of the family.

IN the following year he accompanied the King into Gascony, and a dispute between the Earl Marshal and the Constable as to whether certain perquisites belonged to the former or to the two jointly, with reference to the

the providing of ships for the voyage, is referred to in a writ dated at Portsmouth, the 7th May, 1242 (Rot. Pat. 26 Henry III). The slothful conduct of the King and the discreditable management of the war disgusted the Earl of Cornwall and many of the nobles, who, finding their remonstrances of no effect, eventually left him at Bordeaux, the Earl Marshal among the number, and set sail for England on the 18th of October, the King remaining there in idle and extravagant retirement with his Queen and his Gascon favourites. We hear no more of Earl Walter Marshal till the year 1244, when the King was under the necessity of calling his parliament together for the grant of supplies, but met with a strong resistance to his demands, and eventually a committee was appointed of twelve persons, selected in equal numbers by the clergy, the laity, and the barons. The laity were represented by four earls, of whom Walter Marshal was one, and the parliament eventually granted to the King something less than he asked for, their proceedings being complicated with resistance to pecuniary demands of the Papacy, which it is foreign to our purpose to discuss.

THE following year saw the extinction of the male line of the house of Marshal. Walter died on the 4th December, or, according to some writers, on the 24th November, 1245 at London, and was buried, as Mathew Paris relates, at Tintern, not far from Strigoil, where many of his noble ancestors had been interred. Other writers represent his death to have taken place at Goderich Castle, which was also one of the family possessions: and his interment at Tintern renders this the more probable. He had married Margaret, daughter of Robert de Quincy, and widow of John Lacy, Earl of Lincoln. She survived him, but had no issue.

THE matrix of a seal, picked up about the end of the last century near the Keep of Goderich Castle, and now preserved at Goderich Court, having been attributed to Walter Marshal, requires notice here. It is incorrectly described in Heath's *Excursion down the Wye*, and figured in a paper on *Horfe-Shoes*, by Mr. H. Syer Cuming, in the *Brit. Arch. Association Journal*, vi, 406, in consequence of its device (a nail within a horfe-fhoe) happening to illustrate his subject. The legend reads *s GAVLTER LE MARECHAL D'MACL*. It is a small round seal, utterly unfuitable to a person in Walter Marshal's position, except perhaps as a secretum, or counterseal, in which case it would have had a different lettering, if any. It bears great resemblance to a seal  
figured



figured in the Arch. Jour., iv, 149, with the legend s' RADUL' MARESCHAL' D'LEVECHIE D'DUREME, i.e., "the seal of Ralph, the Farrier of the Bishopric of Durham," and adduced as an example of the custom of adopting as devices on personal seals, the instruments of the owner's craft. The last word in the inscription on the Goderich seal is a puzzle. If it be a contraction for "Marescalli," the meaning may be "the seal of Walter, the Farrier to the Lord Marshal."

ANSELM, the last surviving son of the Protector, had been Dean of Salisbury, but seems to have been released from his clerical vows, and married Maud, daughter of Humphrey Bohun, Earl of Hereford. He only survived his brother a few days, and died at Strigul Castle on the 23rd December, 1245, and was buried at Tintern. He left no issue, and the believers in the efficacy of the curse of the Bishop of Ferns saw its fulfilment in the division of the vast possessions of the Marshal family among the survivors and representatives of the five daughters of William Marshal, the great Earl of Pembroke.

ABOUT the year 1756 there was found, in clearing out the rubbish from Tintern Abbey, a monumental effigy, in freestone, of a knight in chain armour, and wearing a coronet. It was then in excellent preservation, but by the deplorable neglect which allowed it to be used as a stop to the village quaiting ground, and eventually by an act of drunken vandalism, of which the perpetrator escaped the consequences by absconding from the neighbourhood, it has been reduced to a miserable state of mutilation. It has been assigned to various persons, the current of authority until recently being in favour of Gilbert Strongbow, Earl of Pembroke; but Mr. Planché pronounces it to be of about a century later date, and probably assignable to one of the Marshals. From the above particulars as to their places of burial, it would appear that the choice lies between Walter and Anselm.

## CHAPTER V.

## FAMILY OF BIGOD.



OF the five daughters of the first William Marshal, Earl of Pembroke, Maud, the eldest, married first Hugh Bigod, third Earl of Norfolk of that creation, by whom she had three sons, of whom we shall have more to say presently, and secondly, William de Warren, Earl of Surrey, by whom she was the mother of that John de Warren, who, when summoned under the famous commission of Quo warranto, in the reign of Edward I, to produce his title to the franchises he claimed, drew from its scabbard a rusty sword, and addressed the court, "By this instrument, my lords, I hold my lands, and by the same I mean to maintain them. My ancestors, coming hither with William of Normandy, conquered their lands with the sword, and with the sword I will defend them from all who would usurp them; for the King did not conquer the land by himself, but our forefathers were participators and comrades with him."

THE second daughter, Joanna, married Warine de Munchensey, by whom she had a son, who died without issue, and a daughter who thus eventually became the representative of her father's family, and was married by the King to his half-brother, William de Valence. Isabella, the third daughter, we have already had occasion to mention, as the wife, first of Gilbert de Clare, Earl of Hertford and Gloucester, and secondly, of Richard, Earl of Cornwall and King of the Romans. The two youngest daughters, Sybil, wife of William Ferrers, Earl of Derby, and Eva, wife of William de Braose, Lord of Brecon and

and Abergavenny, were both dead, the former leaving seven, and the latter four daughters and coheiresses. A notice in detail of these eleven ladies and their eighteen husbands (for two of them were thrice married, three twice, and the remaining six once) is fortunately unnecessary for our purpose. The curious will find particulars of them in the form of a pedigree, and a full account of them, and of the division of the inheritance of the Marshals is contained in Mr. Stapleton's elaborate preface to the *Liber de Antiquis Legibus*, printed by the Camden Society (p. xviii), to which I have been indebted for a good deal of valuable information and reference to records. But it must be read with some corrections. He says that the entire inheritance was valued at £7600, and that Hugh Bigot, Earl of Norfolk, had the Earl Marshalship, and William de Valence, husband of Joan de Munchenfy, had the Earldom of Pembroke, and that Gilbert de Clare, Earl of Gloucester, had for the share of his wife £1520, while the seven coheirs of Sybilla de Ferrers had each £217 2s. 10½d., and the three coheirs of Eva de Braose (a fourth coheir, David, son of Llewellyn, Prince of Wales, having been omitted by a mistake afterwards corrected) had each £506 13s. 4d. Gilbert de Clare, as we have seen, had been long dead, and his widow had left her second husband a widower in 1240. There is consequently a mistake as to the recipient of the share in her right; but, with this correction, the figures are consistent. They must however be understood to mean annual and not capital value, if indeed the term "*librata terræ*" meant either one or other, and had not already lost its original meaning of land of the annual value of a pound, and come to mean, according to some authorities, the definite quantity of four oxgangs, or half a hide. What that quantity was in acres, or whether it had any definite equivalent in acres at all, are questions too knotty to be unnecessarily entered upon. Making every allowance for the altered value of money, £7600 per annum seems a small income from the vast estates of the Earls of Pembroke, and it is clear that their real value was more than this; for Striguil alone, which formed part only of the one fifth share of the Countess of Norfolk and Surrey, was estimated in the time of the first William Marshal at seventy-five and a half knight's fees, which, at £20 per knight's fee, would amount to £1510 a year. We may presume also that the amount is exclusive of the possessions in Normandy, formerly the inheritance of Walter Giffard Earl of Buckingham, and descended through the Clares, and possibly of the Irish estates, out of which the younger William Marshal's widow, then Countess of Leicester, had assigned to her a dower of £400 a year, which was

was apportioned among the estates of the coheiresses. The personal estate may also have been considerable, for it is a mistake to suppose that large accumulations of money were unusual at this period. As an instance, the above-named Warine de Munchensey is stated by Matthew of Westminster (p. 362, ed. 1601) and Matthew Paris (p. 610, ed. 1644), the former in figures, and the latter in words at length, in the editions quoted, to have left personalty to the amount of upwards of 200,000 marks (*ducenta millia marcarum et amplius*), misquoted by Dugdale as 2000.

It is worth notice that in all the proceedings relating to the partition, the inheritance is said to have devolved on the coheirs on the decease without issue of Walter, and not of Anselm Marshal. There is no mistake in this; and the explanation is curiously enough to be found in an act of parliament of a subsequent reign, the statute *De prerogativa Regis*, 17 Edward II, c. 13, in which the case is cited to point the moral of the duty, incumbent on the King's tenants in capite, of doing homage for their lands, in default of which their title was not complete, "as happened," says the statute, "in the case of Matilda, the daughter of the Earl of Hereford, wife of Anselm Marshal, who, after the death of William [it should have been Walter], Earl Marshal of England, his brother, received seizin of the castle and manor of Strogill, and died in the same castle, before entering with the King's authority and doing homage; and it was therefore held that she was not entitled to dower, because her husband did not enter by the King's authority, but by intrusion." And so the poor lady lost her dower by what, according to modern ideas, seems a mere technicality.

THE Castle and Lordship of Striguil, the manor of Hempsted Marshal, and the Lordship of Carlogh fell to the share of the eldest daughter, Maud. An unfortunate mistake of Matthew Paris, who says (p. 473, ed. 1644) that "the Marshalsea, with its office and honours, were granted to Earl Roger Bigod, by reason of his wife being the eldest daughter of the great Earl William Marshal," has been constantly repeated, even by authors from whom accuracy might have been expected—including Mr. Wakeman—and this from mere inadvertence; for the Bigod pedigree of this period presents no difficulties. Archdeacon Coxe, in his *Historical Tour in Monmouthshire*, and Mr. Stapleton, in his preface to the *Liber de Antiquis Legibus*, have not fallen into the same error: but they are scarcely more accurate, the one in saying that Hugh Bigod

Bigod, Earl of Norfolk, in virtue of his marriage with Maud, received the castle and borough of Strigoil, and the latter that Hugh Bigod, Earl of Norfolk, had the Earl Marshalship. The fact is that Hugh Bigod, the husband of Maud, had been for twenty years in his grave, and their eldest son, Roger Bigod, fourth Earl of Norfolk of that creation, was in full enjoyment of the earldom and his paternal estates, and his mother was at this period again a widow, and Countess Dowager of Norfolk and Surrey. In the year following her brother's death, she was solemnly invested with the office of Marshal of England, the King himself delivering the rod into her hands, which she thereupon delivered to Earl Roger, her son and heir, whose homage the King received for the same, and the Lord Treasurer and Barons of the Exchequer had command to cause her to have all rights thereto belonging, and to admit of such a deputy to sit in the exchequer for her as she should assign (Watson's Earls of Warren and Surrey, i, 213, ed. 1782).

THE Earldom of Pembroke, as we have seen, was conferred on William de Valence, who had married the daughter of one of the coheireffes. That this should have been valued and taken into account as a matter of partition (except so far as relates to estates belonging to the earldom) would have been as foreign to the laws and usages of the period under notice as those of the present day. The peerage, being in abeyance, was subject to the King's selection, and in fact does not appear to have been conferred on William de Valence till some years afterwards.<sup>1</sup> If the King had been equally free to dispose of the Marshalship, he would scarcely have selected a lady in her second widowhood to fill that office, even by deputy. But the theory of its being an office, or rather a combination of two offices, held by grand serjeanty explains the entire transaction. The lordship of Strigoil, and the manor of Hempsted Marshal fell to the share of the Countess of Norfolk and Surrey (no doubt with the approval of the King, who may so far have had a voice in the selection), and the investiture with the office followed as of course, subject only to an acceptable deputy being found to fulfil the duties of it.

SHE is said by some writers to have married a third husband, Walter Dunstanville, Baron of Castle Combe; but this is not sufficiently authenticated to

<sup>1</sup> According to Dugdale not until shortly before the battle of Lewes (1264), on which occasion Matthew Paris first mentions him by that title: but a note in 5th Series, Notes and Queries, vi, 26, shews, from a document among the Irish Treasury Rolls, that he was so styled as early as 1251.

to induce us to number him among the lords of Striguil. She died on the 27th March, 1248, probably at Striguil Castle; for she retained possession of it till her death, and was buried at Tintern, being carried to the grave by her four sons, Roger, Earl of Norfolk, Hugh and Ralph Bigod, and John Warren, Earl of Surrey. Some of the flooring tiles which are still preserved at Tintern, bearing the chequered coat of the Warrens, are, it is presumed, memorials of her. Her obituary was kept among those of founders and benefactors as Matilda, Countess Warren.

ON her death the castle and lordship of Striguil, and the Marshalship, which Roger Bigod, fourth Earl of Norfolk had held as her deputy, devolved on him in his own right. In illustrious ancestry and extent of his patrimonial estate, and in personal qualities and distinction, both in the cabinet and the field, he was well fitted to maintain the dignity of his office. To say nothing of the apocryphal story of the origin of his name in an incident connected with Rollo's invasion of Normandy, the great great grand-father of Roger Bigod the Marshal came over with the Conqueror, and had grants of 123 lordships in Essex and Suffolk, and on the forfeiture of Ralph de Guader, Earl of Norfolk, whom we had occasion to mention in connection with the affairs of Roger de Breteuil, obtained several lordships held by him in that county. The Bigods had always been in the front rank of the English nobility; Roger Bigod, second Earl of Norfolk, being one of the twenty-five barons nominated at Runnymede to enforce the fulfilment of the Great Charter. Roger, the fourth earl, was under age at his father's death, in 1225, and his guardianship was purchased for 500 marks by Alexander II, King of Scotland, to whose sister, Isabella, he had been married in the previous year. As he was knighted at Pentecost, 1233, and had livery of his castle of Framlingham, by the King's special precept, in the year following (Dugdale's Baronage, i, 133), we may presume he was about twelve years of age at the date of his marriage, and about thirteen at his father's death. He had consequently not arrived at the age at which his consent would render his marriage indissoluble, and the purchase of his wardship, by an abuse of feudal power very common in that age, was precisely the step for obtaining such an influence over him as to secure his consent. But as soon as he was his own master he separated from his wife, and repudiated the marriage, on the ground, or perhaps the pretext, of alleged consanguinity, and it was not until the year 1253, when he was more than forty years of age, that, in obedience to the judgment of the church, he received her back as his wife.

ACCORDING

ACCORDING to our reckoning of his age, he would be about twenty-five when he distinguished himself above all his competitors at a tournament, held in 1237, at Blith, between the southern and northern knights, which degenerated into a serious conflict. We do not read that any lives were lost on the occasion; but, under the date of twenty years later, Matthew Paris notices the broken health of Earl Roger, and the deaths of several others of the champions, who, at this gentle and joyous passage of arms, had exerted themselves above their strength, so as never afterwards to be restored to perfect health. From the distinction thus acquired we have already had occasion to mention him as having been selected as the representative of English chivalry for the challenge of Peter of Savoy to the abortive tournament which was to have been held at Northampton in 1241, and in the following year he was as brilliantly distinguished in actual warfare at the battle near Saintonge, between the English and French forces, in which, whatever question there may be as to the military result of the engagement, there is none as to the valour of the Earl of Norfolk. In 1245 he had been one of the English ambassadors to the Council of Lyons. It must have been on this occasion that, in passing through the territory of the Count de Guisne, his progress was stopped until payment of a toll, which subsequent events lead us to suppose had a foundation in right, but which the Earl regarded much as we do similar claims made by the fable potentates in the interior of Africa. He was compelled to pay: but when the Count de Guisne, in his turn, was on a journey through England, on his way to court, the Earl directed his followers to take the Count prisoner, as a "material guarantee" for the restoration of the money so exacted. It does not appear from Matthew Paris whether the order was actually executed, or whether the Count escaped; but he made a formal complaint to the King, which Earl Roger was summoned to answer. He did so with some success, skilfully urging that the Count's interruption to the progress of the King's ambassador, was an insult, not so much to him, as to the King himself, adding, "This Count, in passing through my land, has met with just retaliation: for I hold my lands of you, my sovereign lord, as freely as he holds his from his lord, the King of the French. I am an earl as he is; and whence has he this right of plunder, that he can sell to travellers the roads and air?" The Count was silenced, and the French King prevented future scandal by buying up the objectionable toll.

SUCH was the nobleman to whom the fortunes of Strigil were now committed. For several years subsequent he stood well with the King, and  
seems

seems to have been trusted in public affairs; for on the 27th of January, 1254, he and Gilbert Segrave were selected to convey the King's message to his parliament, and urge upon them the furnishing of supplies for the war in Gascony. But in the following year the King quarrelled with his Marshal, as he had done with every one with whom he came in contact, except his foreign favourites. The Earl having spoken frankly in parliament in favour of one Robert de Ros, accused of grave offences, the King heaped opprobrious terms on both, and publicly called the Earl a traitor, to which, with stern countenance, he answered, "You lie. I neither have been, nor will be a traitor." During the altercation he answered a threat of the King by asking "What, according to law, can you do, or how hurt me?" "I can order your corn to be thrashed and sold," said the King, "and thus humble you." "If you do," replied the Earl, "I will send you the heads of your thrashers" (Matt. Paris, p. 616, ed. 1644). The unseemly discussion was interrupted by the interposition of some peacemaking peers, but a good understanding was not restored, and the King and the Earl separated in mutual anger and ill-feeling. The change in his personal relations towards the King does not seem to have affected his public employments; for his name continues to occur among the special witnesses of royal charters, and in the year 1257, he was associated with the Earl of Leicester and others in an unsuccessful embassy to France, to obtain the restitution of Henry's right in Normandy.

LANGUAGE even more abusive had been publicly exchanged between the King and Simon de Montfort. When a sovereign could be thus bearded in his own parliament, the end of his authority could not be far distant, and the discontent of his nobles came to a head, when, at a parliament summoned to meet at Westminster on the 7th April, 1258, to aid him in meeting heavy pecuniary demands of the Pope, arising from Henry's imprudent acceptance of the crown of Sicily, they appeared before him in arms, acting under the leadership of a confederacy consisting of Simon de Montfort (who was now about to play so prominent a part in English history), Roger Bigod, Humphrey Bohun, Earl of Hereford, and Richard de Clare, Earl of Gloucester. According to the manuscript chronicle of Theoksbury, quoted in Carte and other historians, Roger Bigod was the spokesman; and, on the King asking in alarm whether he must consider himself a prisoner, answered that he was not, but they were resolved to have all Poitevins and foreigners banished out of England, and they would grant no supplies unless the King would swear to carry on his government



government under the advice of a council to be nominated by parliament. The King was compelled to accept these terms, and adjourned the parliament to Oxford, where the famous Provisions of Oxford were enacted, which, while leaving him the state and nominal dignity of a King, virtually took the government out of his hands, and placed it in those of a Council of State. We need not further notice in detail the course of public events which ensued—the internal dissensions under which the authority of the Council collapsed—the civil war which broke out on the King's obtaining a papal dispensation from his oath, and attempting to annul the Provisions—the temporary establishment of the power of Simon de Montfort by the battle of Lewes—and its extinction at that of Evesham. Roger Bigod and his brother Hugh were two of the four persons selected out of the twenty-four named at Oxford to elect the King's Council, and of the Council so elected, and the latter was very shortly afterwards appointed by the Council of State Justiciary, in place of John Mansell, removed from his office. The new Justiciary acted with great vigour while he continued in office, but was superseded, in parliament, in the year 1260, in favour of Lord Hugh Despenser (Matt. West. p. 376, ed. 1601). When, in 1263, Prince Edward took up arms in the royal cause, Earl Roger was one of those who joined him (Chronicle of T. Wikes, Gale's Script. quinque 57), and he is referred to, in a tone of remonstrance, in a political poem, in rhyming Latin verse, preserved in Rishanger's Chronicle, and also reprinted among the Political Songs of England, published by the Camden Society:—

“O tu, comes le Bygot, pactum serva sanum.  
Cum sis miles strenuus, nunc exerce manum.  
Totam turbat modica terram turba canum.  
Exeat aut pereat genus tam profanum.”

It is to be presumed that his brother, Hugh Bigod, at the same time, if not earlier, distrusted the intentions of De Montfort, and joined the royalist party; for he fought on that side at Lewes, and escaped abroad after the battle, or rather fled from it, with John de Warren, and the King's half-brother William de Valence, and Guy de Lusignan (Matt. Par., p. 670, ed. 1644). He also is the subject of a political song, preserved in the same collection, and also in Percy's Reliques, and shewn by internal evidence to have been written between the battles of Lewes and Evesham:—

Sire

"Sire Simond de Mountfort hath fuore bi ys chyn,  
 Hevede he nou here the Erl of Waryn,  
 Shulde he never more come to is yn,  
 Ne with shelde, ne with spere, ne with other gyn,  
 To help of Wyndefore.

Sire Simond de Mountfort hath fuore bi ys cop,  
 Hevede he nou here Sire Hue de Bigot,  
 Al he shulde quite here twelfmoneth scot,  
 Shulde he never more with his fot pot  
 To helpe Wyndefore."

Both of these, and others who had escaped with them from Lewes, landed in Wales early in the following year, and joined Prince Edward on his escape from his guards. We find no mention of the Earl of Norfolk, either at Lewes or Evesham, but at the latter battle the chroniclers do not happen to mention the leading nobles engaged on the royal side. In the month of November following the re-establishment of the King's authority, the Earl is mentioned in the Annals of Waverley (Gale's Scrip. quinque 221), as protesting in parliament, along with the King of the Romans, Philip Basset, and others, against the forfeitures proposed to be inflicted on the adherents of De Montfort.

ON the 4th May, 1270, the King, on his petition, admitted his nephew, Roger Bigod, to the Marshalsee, as his deputy (Rot. Claus., 54 Henry III). As this was the year of the Earl's death, it might have been supposed that his retirement from the duties of the office was occasioned by failing health: but it is stated in Weever's Funeral Monuments (p. 829) that he died of a bruise received in running at tilt. According to the same authority (which however antedates his death by a year) he had by his will, made as far back as 1258, the year of the Provisions of Oxford, and of which Simon de Montfort was one of the executors, directed his burial at the Abbey of Thetford, which had been founded by his ancestor of the period of the Conquest. He left no issue by his unfortunate marriage with Isabel of Scotland, and I am not aware whether she survived him. The date of Roger's death is given by the continuator of Florence of Worcester as 4 July, 1270.

OF his brother, Sir Hugh Bigod, I have not met with any trace subsequent to his rejoining Prince Edward before the battle of Evesham. By his first wife, Joan, daughter of Robert Burnet, he had two sons—Roger, just-named

as his uncle's deputy, and who succeeded him in his inheritance, including the Earldom of Norfolk and the Marshalsea; and John, an ecclesiastic, who is described by Walter de Hemingburgh (ii, 223, ed. of Eng. Hist. Society) as rector of many churches and very rich. Query, what amount of preferment would satisfy this description? His contemporary, John Mansel, already mentioned as Hugh Bigod's predecessor in the office of Justiciary, held 700 benefices—a busy churchman, though his time was not wholly occupied with the cure of souls.

ROGER Bigod, fifth Earl of Norfolk, was twenty-five years old when he succeeded to the inheritance of his uncle, as appears by the Inquisition post mortem, the writ for which is dated 6 July, 1270. This is mentioned in an interesting paper on Wentwood, Castle Trogy, and Llanvair Castle, by Messrs. Morgan and Wakeman, printed for the Monmouthshire and Caerleon Antiquarian Association, which shews clearly that the Survey of Wentwood, of which it gives versions, in English from a manuscript belonging to the Duke of Beaufort, and in Latin from one belonging to Lord Tredegar (another from a manuscript at St. Pierre having already appeared in Williams's Monmouthshire), was taken on the accession of the fifth Earl. It shews also that no mention was there made of Trogy Castle, though it subsequently became the official residence of the Ranger, and that it is first mentioned in the Inquisition post mortem, of the fifth Earl himself, in 1306, as a tower then of recent construction. In the pedigrees of many families some one individual might be selected as entitled, par excellence, to the designation of "the builder." Such was Roger Bigod, the fifth Earl of Norfolk, in the history of Striguil. If his predecessor had been equally under the influence of the organ of constructiveness, he might well have undertaken the erection of Cas Trogy, the occasion for which is supposed to have been the necessity for protecting the new boundary on the division of the inheritance of the Marshals. This however was no great undertaking. A larger one was the erection of the principal part of Striguil Castle. When we speak of William Fitz-Osbern as the builder of it, all that is meant is that he built the tower, of which all Norman Castles consisted. In the reign of Edward I, the improvements in the art of attack rendered necessary improved means of defence, and the Edwardian Castle usually consisted of a central keep, for which the original Norman tower, where it existed, was often made to serve, and a series of concentric courts, or baileys. In the case of Striguil, this arrangement was modified by the nature of the ground. The precipitous

precipitous cliff, descending abruptly to the Wye, formed an impregnable defence on that side, and the intervening space between the river on the north, and the natural ravine on the south, was too narrow for the typical form of Edwardian Castle. The successive courts, arranged in line along the available space, was the nearest practicable approach to the desired arrangement. This conversion of Fitz-Osbern's castle I presume we may safely attribute to the Earl now under notice: but on the architectural question I must be understood as not pretending to speak with authority.

THE structure by which he is best entitled to be remembered is the Abbey Church of Tintern. Whatever ecclesiastical edifice may have existed from the date of Walter de Clare's foundation of the Abbey, or even earlier, it is to the period, and to the munificence, of the fifth Earl of Norfolk that we are to assign the present world-famous structure. Of its actual date there is fortunately historical evidence: for William of Worcester has recorded the fact that the monks entered upon their new church, to perform divine service, in the year 1287, and the following year, on the 3rd of October (*quinto nonas Octobris*), they entered the choir, and the first mass was celebrated at the high altar.

IN public affairs we hear little or nothing of this Earl during the short remainder of the reign of Henry III, or for many years of that of his successor: but we have now lost our trusty guide, Matthew Paris; and subsequent chroniclers, among whom we have here to rely principally on Trivet and Hemingburgh, during the reign of Edward I, seem to have cared less than their predecessors to record the names of individual nobles taking part in military or civil transactions. Still it is surprising that we find no mention of a nobleman in his important position in the history of the steps taken on Edward's accession for providing for the safety of the realm until his return from the crusade, or at the splendid ceremonies of the coronation, in 1274. In 1282 he was in the Welsh expedition, and, in the absence of any circumstances leading to a contrary inference, it is to be presumed that, in the discharge of the ordinary duty of his office, he accompanied the King in his wars in Scotland and elsewhere. However, the public events in which we first find him recorded as a principal actor, and by which his name is known to history, are those in which, allied with his friend and colleague, and near neighbour at Caldicot Castle, Humphrey Bohun, seventh Earl of Hereford, and

and hereditary Constable of England, he made a stand against the despotic measures of Edward I. All English histories relate the famous altercation with the King, for which Walter de Hemingburgh (ii, 121, ed. of Eng. Hist. Society) is the original authority, when Edward, in pursuance of his policy of an alliance with the Count of Flanders against the King of France, was desirous of sending his Constable and Marshal with an army into Gascony. Both excused themselves, and, on being pressed, the Marshal said, "I will willingly accompany you, going before your face in the front rank, as pertains to my office by hereditary right." The King insisted on their leading the expedition in his stead. The Earl stood on his right to refuse to go, unless accompanying the King in person, until the angry discussion culminated in the King bursting out in a rage :—"By God, Sir Earl, you shall either go or hang:" to which the Earl replied, "By the same oath, Sir King, I will neither go nor hang." The author of "The Greatest of the Plantagenets," in his amusing reluctance to admit anything less than angelic perfection in the character of his hero, would fain persuade himself that Edward was much too pious to have used the Divine name lightly or irreverently, and that the chronicler must have erroneously translated by the naughty words, "per Deum, comes," the very innocent address, "Earl Bi-God:" but finding the Pope himself asseverating "per Deum" that he would do the King justice, the biographer reconciles himself to the admission that the Greatest of the Plantagenets may have "used language similar to that employed by Abraham, Joab, and Nehemiah." After such an illustration of the spirit in which history may be written by a hero-worshipper we must be excused from adopting his estimate of the King's conduct in more important matters, though waiving any controversy on points unconnected with our subject. He had reigned twenty-four years, and had hitherto successfully resisted all attempts to procure a confirmation of the Great Charter and Charter of the Forests, which had been systematically violated. His apologist claims credit for the rarity of his appeals to parliament for aids: but he had raised the funds requisite for his repeated costly wars by means of various arbitrary exactions, especially forced loans of wool and leather known under the name of "prises," and at this period had overfilled the cup of his subjects' patience by a tax of forty shillings on every sack of wool (which had acquired the name of the "maletout," or ill toll) in lieu of a tax of half a mark per sack, which had been granted by his parliament. These grievances are scarcely named by the author just referred to, and not at all in their proper place, where he mildly alludes to them by saying that Edward "began to take measures

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of a kind which always create a certain amount of discontent," and expresses his opinion that "there was nothing in these measures which materially differed from the practice of modern wars." The difference overlooked is that in modern wars the requisitions are made on the enemy, Edward's were made on his own subjects. And now, having summoned a parliament, as Hemingburgh calls it, though it was rather a council of his barons without the clergy, it met at Salisbury, on the 24th February, 1297, and ended in the angry scene above related; upon which the council was abruptly dissolved, and the two earls, associating with themselves many great men of the kingdom, raised a force of 1500 horse, and spreading themselves over their respective provinces, prevented the King's officers from seizing wool or leather, or making any other illegal exaction.

IN the meantime the King, having joined the expedition to Flanders, issued writs, commanding all who owed him military service, and all who held lands to the value of £20 a year, to meet him in London, on a day named, with horse and arms, prepared to cross over the seas with him. Many barons met him accordingly, and did fealty, at his request, to Prince Edward his son, then aged thirteen years. The King did his best to make a favourable impression. He made excuses for his arbitrary exactions on the usual plea of necessity, asserting that he was maintaining not his own cause but the cause of the people, and begged that they would forgive him and pray for him; on which the chronicler observes that some prayed in public, but others cursed in private. The Constable and Marshal held aloof, contending as their Norman ancestors had done before the Conquest, that their service was limited to the defence of the realm, and that they were not bound to assist the King in his foreign wars. The apologist for the Greatest of the Plantagenets lays much stress on the duplicity and inconsistency of their conduct:—"As they had objected at Salisbury to go to Gascony because the King did not propose to accompany that expedition, so now they objected to go with the King to Flanders because, as they said they could not find that any of their ancestors had ever performed any service in that country . . . they would not go to Gascony without the King; they would not go to Flanders with the King." The truth is that their excuses were mere words, intended to maintain the outward forms of courtesy, but neither intended to deceive, nor capable of deceiving any one. Their real attitude was that of armed resistance to their sovereign, provoked, and according to their views, justified by his own violation of his subjects' rights

rights ; and they were now at the head of an alliance of the great barons, determined to extort from him, as their fathers had done from the two preceding sovereigns, the recognition of the liberties of their countrymen and the rights of their own order. A monarch more sanguinary and less prudent than Edward I (for in this respect he was no tyrant) might have sought their heads, the probable result of which, if it had not cost him his life or his crown, would have been, at no distant date, to place him in the position of his grandfather at Runnymede, or his father under the Provisions of Oxford. But Edward was in his generation a wiser man, and warned in time by their example, though as fully determined as either of them to render nugatory every concession extorted in times of pressure, and never for a moment relaxing his determination to pursue his own arbitrary course, he abstained from pushing matters to extremities against the recalcitrant Earls. He opened negotiations with them, and they told the mediators that if the King would confirm the charter of liberties, and redress the grievances complained of, they were ready to follow him to life or death. But on this point the King was not to be moved from his purpose. He necessarily deprived them of the offices, the duties of which they refused to execute, and appointing Thomas de Berkelye, Constable, and Geoffry de Genevill, Marshal, he set out on his expedition to Flanders. At Winchelsea he was met by messengers from the Earls, with a memorial in which they formulated their demands. It is printed in Norman French, in Hemingburgh (ii, 125, ed. of Eng. Hist. Society) and, in Latin, in Trivet's Annals (p. 360, ed. of same Society). Commencing with a rather disingenuous preliminary objection to the summons for not specifying the place of embarkation, it alleges that service in Flanders was not within the duty of the memorialists—that if they were bound to serve there or elsewhere, they and all the commonalty were too much impoverished to do so, by reason of the talliages, aids, and prises, which they specify—that the whole community was aggrieved by the wilful violation of the ancient laws and customs of the realm, and the breaches of the Great Charter and Charter of the Forest, and especially the maletolt on wool, which they allege to be equal to a fifth part of the value of the whole land—and lastly, they protest against the expedition to Flanders, on the ground of the unsettled state of affairs in Scotland, in which rebellion had already broken out (as was the fact) even while the King was in England, and was sure to make head as soon as he had turned his back. The King evaded a direct answer to the memorial with the excuse that his council were partly in London and partly already in Flanders, and sent a message to the Earls, begging

begging them that if they would not accompany him, they would at least do no injury to the realm in his absence. He embarked about the 24th of August, leaving his kingdom in the nominal regency of his son, under the guardianship of the Bishop of London, the Earl of Warwick, and three knights. The anticipation of the Earls as to the insurgent Scots was only too soon verified, and the military operations against them resulted in the disastrous battle of Stirling, on the 10th of September. In this emergency the Regency made overtures to the Earls of Hereford and Norfolk, who readily announced their terms, namely the confirmation of the Great Charter and Charter of the Forest, with the insertion in the former of certain additional articles—the prohibition of all future aids and exactions without the assent of parliament—and the pardon of the Earls and their associates.

THE *Additional Articles*, so stipulated to be inserted in Magna Charta, are printed at length in Trivet's Annals (p. 367) and Hemingburgh (ii, 152). Their subsequent history is involved in much obscurity, and has given rise to a discussion, to which some facts are here contributed, bearing on the immediate subject of this memoir. The Articles commence with the words, "Nullum tallagium vel auxilium per nos vel heredes nostros de cetero in regno nostro imponatur," &c., and they go on to provide that no talliage or aid shall be levied without the consent of parliament—that none of the King's officers shall take corn, wool, leather, &c., without the owner's consent—that the maletoult shall be abolished—that the clergy and laity shall enjoy all laws, liberties, and free customs, as fully as at any time past—and that anything to the contrary contained in that or subsequent statutes shall be for ever null and void—and they conclude with the stipulated pardon, in the following words, in which certain phrases are here italicized for reasons presently to appear:—"Remissimus etiam Humphrido de Boun, comiti Herefordensi et Essexiensi constabulario Angliæ, Rogero Bygot, comiti Northfolciæ, marescallo Angliæ, et aliis comitibus, baronibus, militibus, armigeris, Johanni de Ferrariis, ac omnibus aliis de eorum societate confederatione, et concordia existentibus, necnon omnibus viginti libratas terræ tenentibus, in regno nostro, five de nobis in capite, five de alio quocumque qui ad transfretandum nobiscum in Flandriam certo die notate vocati fuerunt, et non venerunt, *rancorem nostrum et malam voluntatem* quam ex causis predictis *erga eos habuimus* et etiam transgressionem si quas nobis vel nostris fecerint usque ad presentis cartæ confectionem." These terms were accepted by the Regency, and five days after the battle of Stirling writs were issued, summoning



summoning a parliament to be held in London on the 10th of October, for the purpose of confirming the Great Charter and Charter of the Forest, and providing that the recent levy of an eighth should not be taken as a precedent in future. The parliament was held accordingly, and the earls attended with a force of 1500 horse and a great body of chosen foot, a stipulation having been made for their being so attended and all the city gates given into their custody, that they might not be, as they expressed it, enclosed like sheep in a fold; and an act of parliament was passed, which appears on our statute book as the *Confirmatio Chartarum* (25 Edward I). It is in the then not unusual form of letters patent, which are in the King's name, but tested in the name of his son:—In tesmoignance de queux choses, nous avoins fait faire cestes nos lettres overtes. Tesmoigne Edward nostre fitz a Londres le disme jour de Octobr' lan de nostre regne vintisme quynt." It contains a full confirmation of the charters, provides that judgments given against them shall be void, and that they shall be read periodically in churches, and excommunication pronounced against the breakers of them, and inasmuch as doubts had been entertained lest the aids and tasks granted to the King for his wars might turn to bondage by being found on the rolls, and likewise the prizes taken by the King's officers, it declares that they shall not be drawn into a precedent, and that the King will take no aids, tasks, or prises, without the common consent and common profit of the realm, "sauve les auncienes aides e prises dues e customees"—an exception which, proper enough in itself, soon furnished a pretext for further abuses. It does not contain any pardon of the two earls, nor the other provisions specified in the draft of the "Additional Articles." A verbatim copy of the act was sent over to the King in Flanders, and it is repeated, in the form of letters patent, dated at Ghent, on the 5th of November [1297]. Blackstone, who prints these letters patent in his *Law Tracts* (App., p. lxxiv), prints also, in a note at p. 342, letters patent, dated on the same day and at the same place, granting the promised pardon to the two earls and their adherents. It recites that the King has been informed "qil se douteront qe nous eussions concev vers eux rancour et indignation pur aucunes desobeissances qil avoient fetes ne ad geres a ceo qe hom disoit en ce qil ne vindrent pas a nous a nostre commandement," &c., and remits "totes maneres de rancour et de indignation," accordingly.

THE King returned to England in March 1298, and at once made preparation for an invasion of Scotland, summoning a parliament to meet at  
York

York for that purpose on the 25th of May. The Earls asked for a confirmation of the charters, apprehending the invalidity of the previous confirmation on the ground of its execution beyond the seas. As usual the King evaded the demand, but promised a confirmation on the return of the expedition from Scotland. The Earls seem to have accepted the promise, for they fought in their accustomed places at the battle of Falkirk, on the 22nd of July, being described by Hemingburgh as "*comites primæ aciei*." At a parliament held at Carlisle on the 15th of September, we find them complaining of the grant of the Isle of Arran to a Scottish nobleman, as a breach of the King's promise not to do certain acts without the assent of parliament, and they receive the royal licence to depart home. Nothing is recorded of any further discussion at that time, as to the charters, but at a parliament held in London, at the beginning of Lent, 1299, the performance of the King's promise to the two earls was strongly insisted on. "The King," says Holinshed (ii, 531, ed. 1807) "was nothing contented that this matter should be so earnestly called upon: for loth he was to grant their full requests, and again to deny them he stood in doubt how it might be taken. He therefore prolonged time, and would make no answer either to or fro. But when the lords urged him so fore to give them answer, he got him out of the city, not making them privy of his departure, and when they followed him, and seemed not well contented that he should so dissemble with them, he excused himself by blaming the air of the city to be against his health, and therefore bare them in hand that he only fought to refresh himself in some better air in the country more agreeable to his nature, and as for answer to their requests, he willed them to repair again to the city, and they should have answer by his council, so far as should stand with reason, to content them. They returned as he willed them, and had the charters confirmed according to their requests, saving that this addition was put in the latter end of the same, '*salvo jure coronæ nostræ*;' with which addition the lords were offended, and turned home to their houses in as great displeasure towards the King as before." The mode of testing public opinion in the thirteenth century was by reading documents at St. Paul's Cross; for which purpose the charter was sent to the Sheriffs, and read in presence of a great assembly, who, as the chronicler relates, "at first gave many blessings to the King for those grants, but when they heard with what words he concluded, they cursed as fast as before they had blessed." The result of the popular appeal was that the parliament was dissolved, and a new parliament convened for the quindene of Easter

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(3 May, 1299), at which it is stated by the chroniclers that the charters were confirmed absolutely (Trivet, p. 376 ; Hemingburgh, ii, 183 ; Holinshed, ii, 531) ; but this does not appear on the records of parliament. The public discontent however was not appeased, while the perambulation of the forests as promised by the charter was delayed : and a proclamation was issued on the 25th of June, containing a promise that the perambulations should commence at Northampton by Michaelmas at farthest. Still nothing was done, and the summer was occupied in preparations for an event which had an influence, little anticipated at the time, on the fortunes of Striguil. That event was the marriage of the King with his second wife, Margaret, sister of the King of France, which took place on the 10th of September, and produced three children, of whom the eldest was a son, Thomas, who, from the place of his birth, took the name of Thomas of Brotherton. In November the King held a parliament at York, and thence set out on an expedition to Scotland ; but at Berwick his barons refused to proceed further, alleging the difficulties of a winter campaign, but adding the grievance of the non-observance of the charters. They were eventually dismissed with an arrangement that a parliament should be held in the Lent following.

On the 16th of March, 1300, a parliament was held accordingly, at Westminster, at which was passed the statute known as "*Articuli super chartas*" (28 Edward I, statute 3), containing a confirmation of the charters, with many additional provisions for improving the law. Attention is requested to dates : for at this point arises a difficulty which remains to be solved. Under the date of 1304, there appears in the printed editions of our statutes that known as the "*Statutum de Tallagio non concedendo*" (34 Edward I, statute 4), which, with slight verbal alterations, and one, more important, or at least curious, to be noticed presently, is a copy of the "Additional Articles" presented to the Regency by the remonstrant earls, in 1297, commencing with the words "Nullum tallagium" and ending with the Pardon. How this found its way into the statute book is a mystery. There is clearly a mistake as to the date : for, as Blackstone points out, Humphrey Bohun, the seventh Earl of Hereford, to whom it relates, had been long dead. Blackstone, quoting Dugdale, fixes his death on 31st December, 1298, which is found to be correct, though genealogists give other dates, both earlier and later. At all events he had died long before 1304. Blackstone comes to the conclusion that this statute had in reality no existence apart from the "*Confirmatio Chartarum*"

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of 1297, and that it was only a kind of abstract or translation, by a contemporary hand, probably inserted at the end of the Great Charter in the register of some monastery, and thence transcribed by Trivet and Hemingford. He prints it from the text of the latter, observing that "it is the most intelligible copy of any extant, that printed in our statute books being in some parts so mutilated as totally to obscure the sense." Blackstone however does not state, as he ought to have done, that Hemingburgh (or Hemingford as he was called in those days, and in the edition of his chronicle forming that of Gale's *Scriptores*) does not give the text as that of a statute, but only as the draft Articles stipulated for in 1297. After quoting at length, in Norman French, the *Confirmatio Chartarum*, as tested in the name of Prince Edward, he adds, "The same writing was sent to the King, in Flanders, that he might affix his privy seal: for his great seal remained with the King's son. There were also sent transcripts of the Great Charter and Charter of the Forest, with the subjoined Articles inserted at the end of the Great Charter, that he might likewise sign them:" and then follow the "inserted articles," commencing "*Nullum tallagium*," &c. What should we say of an historian, who, finding in a modern act of parliament (as well he might) inconsistencies arising from alterations made in committee, should prefer printing it from the bill as more intelligible? There is room for the conjecture, as an alternative to the conclusion arrived at by Blackstone, who has cut rather than untied the knot, that the "*Statutum de tallagio non concedendo*," having been accidentally omitted from its proper place on the statute roll, may have been entered out of date, and that it may have actually been passed at the parliament at Carlisle, in September 1298. It would have been satisfactory to confirm the old chroniclers, by ascertaining that it was at the parliament of 8 May 1299; but the date of Humphrey Bohun's death will not admit of this supposition. The exact date of that event has been the subject of some contradictory statements, and the repetition of the same name of Humphrey Bohun from father to son deprives us of the usual evidence derived from the occurrence of the name in the *Hiis testibus* clause of contemporary charters. It is not pretended that these pages are the result of searches among original records, but in this particular instance I have examined the *Inquisitiones post mortem*, at the Record office, in the hope that they would furnish some evidence of the date of Humphrey Bohun's death. It is nowhere mentioned, but the writ of *Diem clausit extremum* is dated 7 January 27 Edward I (1298-9); and all the inquisitions which are legible (for the roll is in very bad condition) were held in the same month—so that the evidence, as far as it goes, is

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confirmatory of Dugdale's date of 31 December 1298. The roll referred to is that numbered 142. That calendared under the date of 30 Edward I (No. 58, second numbers) turns out not to be an Inquisition post mortem, but an Inquisition on alienation by Humphry Bohun, eighth Earl of Hereford.

THE curious part of the transaction is that in the "Statutum de tallagio non concedendo," as printed in our statute book with the evidently erroneous date of 1304, the words of the Pardon are :—*Remissimus etiam Humphrido de Boun, &c., . . . . . rancorem et malam voluntatem erga nos habitam, ac etiam transgressiones, &c.*" Still more oddly it happens that Sir Edward Coke, in his second Institute (p. 528, ed. 1669) commenting on the "Confirmatio Chartarum," says "Bohun, Earl of Hereford and Essex, High Constable of England, and Bigot, Earl of Norfolk and Suffolk, and Marshal of England, for that it concerned matters of arms and war, exhibited a petition to the King, in French, in anno 25 Edward I, before the making of this act, which I have seen antiently recorded, on the behalf of the commons of England, concerning the said matter." When he comes to comment on the "Statutum de tallagio non concedendo" p. 532, he explains "rancorem" as "taken metaphorically for a festring of indignation or displeasure in the mind of the King, which the King releaseth, and discharges them of the same, and incidentally restoreth them to his favour," the commentator having apparently in his mind the terms of the original proposal, and not adverting to the fact that his own text, as well as the statute book, prints the words as last above quoted, which are quite inconsistent with his comment. The terms of the pardon, as dictated by the earls, would naturally be offensive to the King, and the variation made in them, so as to impute the "*rancorem et malam voluntatem*" to themselves, may have been a grim retort on his part, while substantially granting the pardon stipulated for. I have not seen this discrepancy noticed before ; and have been induced to treat the transactions out of which it arose at disproportionate length, because this pardon, the secret history of which remains to be written, may have had an important bearing on the devolution of the castle and lordship marcher of Striguil.

WHETHER as a consequence of these events or not, certain it is that Earl Roger did by deed, dated the 12th April, 1302, surrender the whole of his estates, his earldom and Marshal's rod to the King, in consideration of a regrant to him for life, or with the other limitations to be shortly noticed, of the

the same and additional lands to the value of a thousand marks, and in indemnity against his debts. The motives for this transaction have been variously assigned. Some writers consider it the price of the pardon of which so much has been said, or of a pardon for subsequent offences against the King. Others attribute it to a quarrel between the Earl and his pluralist brother, John Bigod, his heir presumptive, the particulars of which are very circumstantially related by Walter de Hemingburgh (ii, 224), who says that the latter pressed the Earl for the repayment of money borrowed to meet his expences during his struggle with the King, and, on being reminded that the whole of his brother's inheritance would be his, answered, "What is your inheritance to me? I care not. Pay me my money:" on which the Earl, answering, "I will do as you bid me, but to the loss of yourself and our heirs," went in anger to the King, and made the surrender above noticed. He obtained a regrant, dated the 12th July following, in which the estates were limited to him and the heirs of his body, or to the heirs of the bodies of himself and Alice his wife. Which was the precise form is immaterial, for he had no issue, though he was married at least twice. His first wife, Aliva, daughter of Philip, Lord Basset, and widow of Hugh Despenser, died in the 9th year of Edward I. His second, according to Dugdale (Baronage, i, 136), was Alice, daughter of John de Anefine, Earl of Bayonne, the same person, it is presumed, who is called Johannes de Aveignes, comes Agenogiae, by the continuator of Florence of Worcester, who records his marriage in 1290 (ii, 243, ed. of Eng. Hist. Society). She survived him: for lands in dower to her are excepted from the grant to Thomas de Brotherton to be shortly noticed (Dugdale's Baronage, ii, 63). We shall find her mentioned in a subsequent chapter as Alice of Hainault.

THE Earl seems to have been under a cloud subsequent to his pardon, if it were of the date we have supposed; for he excused himself from attending the King in his Scottish campaign of 1300, and sent a substitute. The original chronicle of Peter Langtoft, as published under the direction of the Master of the Rolls, says:—

"Ly quens Marfchal Roger defhaité se sent,  
Sir Jon de Segrave en soun lu present,  
Ad fere le servise en taunt cum apent."

which Mr. Wright translates, "The Earl Marshal Roger feels himself discouraged—presents Sir John Segrave in his place to do the service inasmuch as belongs to

to him ;" and observes in a note that Robert de Brunne had mistaken the meaning of his author in his version :—

"The Erle Marfchalle Rogere no hele that tyme mot have,  
He went with his banere Sir Jon the Segrave,  
To do alle tho servise that longed the office tille,  
And mayntend alle the prife, ther he sauh lawe and skille."

Probably the most important mistake has been made by Robert de Brunne's editor or transcriber, in misreading "He *went* with his banere," for "He *sent* with his banere." The cause of his absence, whether real sickness or the consciousness that he was out of favour, is comparatively unimportant, except so far as it might help to throw light on the history of the surrender. The terms on which he secured the service of Sir John Segrave are worth quoting, as an illustration of the military system of the period. They are stated by Dugdale (Baronage i, 674) from a manuscript belonging to Sir W. Le Neve :—  
"In 25 Edward I, he was by Indenture retained to serve Roger le Bigod, Earl of Norfolk, with six knights, himself accounted, as well in the time of peace as war, for the term of his whole life, in England, Wales, and Scotland, viz., in times of peace with six horses, so long as the Earl should think fit, taking bouche of court for himself and his knights, and for his esquires hay and oats, as also livery for six more horses, and wages for six grooms and their horses : likewise for himself two robes yearly, as well in times of peace as war, as for a banneret, and for his five knights the like robes as for his other bachelors, viz., two yearly. Moreover he was by these covenants obliged to bring with him in time of war his five knights with twenty horses, and in consideration thereof to receive for himself and his company, with all those horses, forty shillings per diem, but if he should bring no more than six horses, then thirty-two shillings per diem : it being likewise agreed that the horses should be priced to the Earl, that allowance might be made in case any of them should happen to be lost in the service. For the performance of which agreement he had a grant from that Earl of the manor of Lodene, in com. Norff."

In the year preceding the surrender, the Earl had completed his munificent benefaction to the Abbey of Tintern by a Confirmation Charter, dated at Mosegate, 4 August, 1301, with a grant of additional lands, and various privileges, including pasturage everywhere in Tidenham Chase.

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HE died in 1307, according to the usually received authorities, but according to Cal. Geneal., ii, 738, quoted in Notes and Queries, 3rd series, ix, 531, on the 11th December, 1306,<sup>1</sup> and was buried, with his first wife, at Thetford Priory, the usual burial place of his ancestors: and by virtue of what must be regarded as a fraudulent and illegal transaction between King Edward and him, his brother John was deprived of his inheritance, and with him the illustrious race of Bigod became extinct.

IN their armorial bearings the Bigods were rather capricious. In a note to Watson's Earls of Warren and Surrey (i, 171, ed. 1782) it is stated that the ancestors of Roger Bigod, second Earl of Norfolk, who married Isabel, daughter of Hameline Plantagenet, Earl of Warren, bore Gules, a lion passant Or: but that author assigns to him, on the authority of Segar's Baronage and an engraved seal in Bysshe on Upton de studio militari, the arms of Or, a cross Gules, which is the coat attributed in Heylin's Help to English History to the first three Earls of Norfolk of the Bigod family. Roger, the fourth Earl, paid his mother's family the compliment of adopting the Marshal coat, and his grandfather, for similar reasons, had used the coat of his father-in-law, Hameline Plantagenet. See their seals engraved in Watson's Earls of Warren and Surrey, Pl. iii, No. 46, and Pl. i, No. 560, from the Aspilogia of Brooke and Anstis. Doyle's Chronicle of England, which, from the attention paid to the details of costume &c., is not without authority, has a plate representing the interview of Henry III, with his barons, in the parliament preceding the Provisions of Oxford, in which the Earl of Norfolk is represented, with his Marshal's rod, in a surcoat Or, a cross Gules: but as the lion passant is stated to be the ancient coat of the family, and the last Roger Bigod, Earl of Norfolk, sealed with it the letter of the barons to Pope Boniface, as late as the year 1300, it seems to have the best claim to be treated as the arms of Bigod. I do not find among the flooring tiles preserved at Tintern any trace of the cross Gules. There are tiles bearing the device of a lion passant, but it is not on an escutcheon, as are other arms mentioned in the course of this memoir, and may or may not be heraldic. Of the stained glass in the east window, which William of Worcester describes as containing the arms of Roger Bigod, not a vestige has been preserved.

<sup>1</sup> "qui obiit undecimo die Decembris anno supradicto" (35<sup>o</sup>). Inq. p.m., 35 Edward I, No. 46. Hibern.



CHAPTER VI.

FAMILIES OF PLANTAGENET (DE BROTHERTON), MANNY, HASTINGS, &c.



Plantagenet.



Manny.



Hastings.

THE object of Edward I in acquiring the inheritance of the Bigods by the questionable transaction described in the preceding chapter, was to make a suitable provision for his younger son—the eldest by his marriage with Margaret of France—Thomas Plantagenet, called, from the place of his birth, Thomas de Brotherton. He received his Christian name in acknowledgement of supposed obligations conferred on his mother, in childbirth, by Saint Thomas of Canterbury. We have already alluded to her marriage on the 10th September, 1299. The date of her eldest son's birth was the 1st of June in the following year, while the King was on his march to Carlisle, in the campaign in which the Earl Marshal was represented by Sir John Segrave. The event is recorded by Peter Langtoft, in a passage forming the continuation of that quoted in the preceding chapter :—

“La rayne Margarete, par comaundement  
Soun feygner ly rays, vers le north f'estent ;  
Gros encaint estait ; par Dieu le omnipotent  
A Broyerton sen Wherf delyver est fauvement  
De un fiz, k'a noun Thomas en baptizement.  
Ly rays Eduuard l'oyt dire, se atire viftement  
Aprocher a la dame, cum falcoun al vent.  
Après sa purifye fet follempnement  
Ly rays vers Escocce soun chimyn reprent.”

but

but here we need no other version than the racy one of Robert de Brunne:—

“The Quene Margerete with child than was sche,  
The Kyng bad hir not lete, bot com to the north cuntre  
Unto Brotherton on Wherfe, ther scho was,  
And lighter of a sonne, the child hight Thomas.  
When the King herd say scho had so wele farn,  
Thider he went way, to se hir and hir barn;  
And with hir he sojourned tille sho was purified:  
Than eft agayn he turned, and tille his oft hied.”

THE national prejudices of the young prince were developed at an early age: for it is related of him that he could not endure the milk of his French nurse—or, according to some authors, his French mother—but an Englishwoman, being brought to him, “he liked well of hers.” The King’s own death, on the 7th July, 1307, prevented his fulfilment of his intentions as to the Earldom and Marshalship and the estates acquired from Roger Bigod: but it was his deathbed request to his eldest son and successor, Edward II, to carry out his wishes in relation to them. Mr. Wakeman, in his paper on the Town and Castle of Chepstow, mentions that in this year (1 Edward II as stated in Dugdale’s Baronage, ii, 44) John Cromwell had the custody of the castle of Strugoyl, with the chaces and appurtenances to the same castle belonging, and the town of Chepstow, to hold during pleasure. This is mentioned as being the earliest record in which that diligent local antiquary had found the name of Chepstow. In pursuance of the desire of his father, Thomas de Brotherton was, in his thirteenth year, created Earl of Norfolk, by patent, dated 16th December, 6 Edward II (1312), limiting the dignity and all castles, manors, and lands in England, Wales, or Ireland, which Roger Bigod formerly possessed, except those held by Alice, his widow, in dower, to him and his heirs in tail general, and on the 10th February, 9 Edward II (1315) he had a patent, granting him the Marshalship, with its appurtenances, to hold to him and the heirs male of his body, rendering therefor to the King and his heirs the services which were due to the King’s progenitors, formerly Kings of England, before the same Marshalship came to the hands of our lord, Edward, late King of England, the King’s father, by the gift, grant, and release of Roger le Bigod, late Earl of Norfolk, &c. Dugdale’s statement (Baronage, ii, 63) that the grant was in *special* tail, coupled with the mention, in the following line, of a grant to him in *general* tail of  
houses

houses in Broken Wharfe, in the city of London, must have arisen from carelessness: for Dugdale, though he may have accidentally confused, can scarcely have misunderstood the technical terms he used. The limitations were in what is known to lawyers as "tail male general." The original grant of the Marshallship is alleged in Strutt's *Regal and Ecclesiastical Antiquities* (in which what purports to be its initial letter, representing the King delivering the patent to the Marshal, is engraved as the plate No. xiv) to be one of the Cotton MSS. (Nero, D. 6); and he states that over it is written "*Literæ R. Edwardi, constituentes Thomam de Brotherton, comitem Nottingham, Marefcallum Angliæ:*" but the whole affair is a mistake. There is no such lettering as he describes, but only a line or two, in an old and barely legible hand, describing the Marshal's arms as illuminated. Even if there had been such lettering, and Mr. Strutt had never read a line of the manuscript itself, the mention of the grantee as "*comitem Nottingham*"—the Mowbray Lion depicted on his jupon—and the fact of the very initial copied being an R commencing the name Ricardus, and not an E for Edwardus, would have been enough, with ordinary care, to prevent him from being misled. The document is, in fact, a beautifully illuminated transcript of the grant from Richard II to Thomas Mowbray, Earl of Nottingham, to be noticed in its proper place. Strutt may have copied the title from the existing calendar (not then in print) of the Cotton MSS., under the supposition that it was a copy of the ancient lettering, which he either could not decypher, or did not trouble himself to read: for the catalogue, as since printed for the Record Commissioners, is scarcely more accurate. It reads, "*Literæ R. Ricardi II, constituentes Tho. de Brotherton, com. Nottingham, Marefcallum Angliæ, A° 1386.*" The circumstance which misled the compiler of the Catalogue, and afterwards Mr. Strutt, is that immediately following the grant is a document entitled:—"Ces sont les usages q. Thomas de Brotherton, filz au roy, clamoit a user p l'office Marefcalzie." Strutt's plate has been copied in Taylor's *Glory of Regality*, London, 1820, in which the arms on the Marshal's jupon are described as those of Thomas de Brotherton on the supposed authority of this document; but heralds are agreed in assigning to him the arms of England, Gules, three lions passant guardant in pale Or, with a label of three points Argent for difference.

THE grant of the office of Marshal by patent is a new feature: and from this point our speculations as to the connection of its tenure with that of

of Striguil Castle cease. Such connection, so far as it subsequently existed, was a separable accident. But the new Marshal, or his advisers, took a different view of his position: for in the document just alluded to—"les usages que Thomas de Brotherton, &c., clamoit a user p l'office Marefcalfie"—one of the clauses runs:—"Marefcalfia autem est quedam magna serjancia Regis comiti Norff. in feodo commissa." It is odd that the first documentary evidence met with of the title by grand serjeanty, on which we have indulged in so much speculation, should be in support of a claim for which clearly there was no foundation. This, however, may have been a coronation claim, as the similar document connected with the name of Gilbert, Count de Striguil, has been supposed to be, in which case Thomas de Brotherton might well claim as Marshal to perform—and indeed the terms of his patent required him to perform—the honourable services rendered by previous Marshals: and in this point of view the inaccuracy of calling it a service in grand serjeanty is not very serious; still it was an inaccuracy to say the least of it, and, as we shall see presently, it was not without its fruits. It is a fact not hitherto noticed that the claim above quoted is in the very words of the text-book known under the name of *Fleta* (l. 2, c. iv): and if it were certain that that work was written in the reign of Edward I, according to the conclusion arrived at by Selden in the 10th chapter of his *Dissertatio ad Fletam*, it would be most important evidence in favour of our position as to the ancient tenure of the Marshalship, though it would not have warranted the Marshal in ignoring the new state of affairs created by his patent. But the date at which *Fleta* was written is one of the unsolved questions of legal bibliography, Sir Edward Coke and Dr. Cowell holding that it is to be assigned to the end of the reign of Edward II or the commencement of that of Edward III: so that it is an open question whether Thomas de Brotherton quoted *Fleta*, or the unknown author of *Fleta* had been misled by the Marshal's claim. That a writer of such high authority should have been ignorant of the patent, if it were of earlier date than his work, is hardly conceivable; and the point now under notice may furnish one more fact to be taken into account by those who may hereafter discuss the date of that celebrated work.

IN 11 Edward II, a writ was issued to the Barons of the Exchequer, to enquire what fees had been allowed in times past to the Marshals of England and their officers, in bread, wine, tapers, and candles. A return was made accordingly, which, with the original writ, and the subsequent warrant

warrant to the Steward and Keeper of the Wardrobe, dated 15th July, 1317, to make payments accordingly to our beloved and faithful brother, Thomas de Brotherton, Earl of Norfolk, and Marshal of England, and those whom he may appoint to the office of Marshal, are printed in Hearne's Discourses (ii, 132). He was with the King at the siege of Berwick in 1319 (Lib. de Antiq. leg. cix).

At the early age at which his office was conferred upon him it could be little more than a sinecure; but at all times its duties had to be performed in such various places that the Marshal must have had deputies for all sorts of purposes. We have already noticed how the division of the Aula Regis into several courts multiplied the duties of the office, and when the system of Justices Itinerant was established, to hold pleas in the various counties, the ubiquitous Marshal was expected to be present with all of them in person or by deputy. The young Marshal had only just attained to man's estate when he got into a difficulty. It appears from a record (Rot. Claus., 17 Edward II), also printed in Hearne's Discourses (ii, 134), that at the assizes held a short time previously for the county of Lancaster the Marshal had failed to appoint a sufficient deputy; for which default his office had been seized into the King's hands, and he was fined £100; but on his petition, dated 19th November, 1323, his office was restored and the fine remitted. The secret history of the Marshal's offence, his punishment and pardon, does not appear, nor its date, except as above, but if we may be allowed to indulge in conjecture, we shall not hesitate to connect them with events which bring another actor on the stage, and add another name to our list of the Lords of Striguil, though his possession was of short duration, and his interest only that of a tenant for life.

HUGH Despenser the younger, who, after the fall of Gaveston, had been placed by the nobles near the person of the King, as Lord Chamberlain, in the vain expectation that he would exercise an influence in favour of good government, or at least in support of the interests of their order, had found his position available for very different objects, and acquired an ascendancy over the feeble mind of his unfortunate sovereign, enabling him, in the King's name, to exercise a tyranny, which, for shameless violation of the rights of property, has no parallel in English history. He had acquired by his marriage with one of the three sisters and coheresses of Gilbert de Clare, Earl of Gloucester, who was slain at Bannockburn, the last of the male line of his illustrious

illustrious race, the greater part of Glamorganshire. The acquisition of this estate, on which he built Caerphilly Castle on a scale of unexampled magnificence, gave a bent to his insatiable rapacity, and the extension of his territory became a leading object of his life. The lordships of Caerleon and Usk he extorted from another of the coheiresses by a transaction which took the form of an exchange. That of Gower, which was in litigation between the Earl of Hereford and the Mortimers, who had respectively, unknown to each other, contracted for the purchase of it from its spendthrift owner, William de Braose, was seized on the pretext of forfeiture for unlicensed alienation by the King's tenant in capite, and granted to the favourite to his own use. Newport he acquired by purchase; and, at a somewhat later period, he obtained a conveyance of Goderich Castle and Manor by actual duress, imprisonment, and personal violence, from Elizabeth Talbot, to whom it had descended from the Marshals and de Valences. Striguil and its dependencies were almost the only possessions wanting to bring the vast territories of the usurper in this part of the kingdom within a ring fence; but the owner, at the date of the principal acquisitions just noticed, was a minor, from whom no title could under any circumstances be acquired. He attained his majority on the 1st of June 1321. His petition for restoration of his office was dated 19th November, 17 Edward II (1323); and in the same regnal year he granted to Hugh le Despenser, Lord of Glamorgan and Morganok, his castle of Strigoill, with the Manors of Chepstow and Tudenham, as also all his other lands lying betwixt the rivers of Severne and Wye, likewise whatever else he had in all other places in Wales and the Marches, to hold for life (Dugdale's Baronage, ii, 63). A trumpery charge, a disproportionate punishment, and a pardon procured through the influence of the all powerful favourite, are precisely the steps which a scoundrel in Despenser's position might be expected to take towards the acquisition of the coveted estate. The most surprising part of the transaction is that the limitation should only have been for life. There can be little doubt that it would have been a first step towards further extortion, if the career of the favourite had not been cut short.

If he had no larger interest in the property, he would scarcely spend money in making extensive improvements. Otherwise we might have been inclined to attribute to his magnificence the re-construction of the ancient Keep into the stately banqueting hall, which passes by the name of the Chapel, and which, in its altered form, architectural antiquaries assign to the period of

of Edward II. If the date be ascertained with sufficient accuracy, it follows that this work must be assigned to Thomas de Brotherton himself, or his guardians during his minority.

THAT his transaction with Hugh Despenfer was no friendly one is indicated by the fact that when, on the 24th September, 1326, the Queen landed at Orwell with her Hainault allies, to wreak on the Despensers the vengeance of herself and her "gentil Mortimer," the Marshal was one of the first to join her standard. In relating the events which ensued on her landing, our historians seem generally to have followed the authority of Knyghton (*Twysden's Scrip.*, 2544), according to which the King fled from London, with the two Despensers, to Bristol, and leaving the elder there to defend it, set sail with the younger for Ireland, but was compelled by contrary winds to land and take refuge at Neath. But Adam Murimuth, who was not only a contemporary writer, but, from his personal relations with Edward II, is likely to have been well informed, and therefore entitled to preference as an authority even without confirmatory evidence, says (p. 48, ed. of Eng. Hist. Society) that the King, with the two Despensers, Robert Baldock, and a few of his other ministers, set out towards the Marches, arrived at Gloucester, and shortly afterwards at Strogail, and thence sent Hugh Despenfer the father to the defence of Bristol, and set sail with Hugh Despenfer the son, Robert Baldock, and very few others. Walsingham is in the same story, but he is a mere plagiarist from Murimuth; and Capgrave's Chronicle (p. 155, ed. 1858) says:—"Thus fled the King, first to Gloucester, and then to Strogail. He sent Hugo Spenser the father to keep the town and the castle of Bristow, and the King, with Hugo Spenser the younger, and one Robert Baldock, entered the sea." But, in fact, from the testing of the King's writs, and similar evidence, modern researches have enabled us to trace his course from day to day, and it appears from a paper by the Rev. H. H. Knight, "On the retreat of Edward II into Glamorganshire" (here cited second hand from the reference to it in the 2nd Ser. Notes and Queries, ii, 502) that military writs were tested at Gloucester on the 16th of October, and we have no trace of the King being afterwards at any place east of the Severn, except as a prisoner. On the 12th he was at Westbury, near Newnham, on the 14th and 15th at Tintern, on the 16th and some days afterwards at Striguil Castle, and on the 27th at Cardiff. Mr. Wakeman mentions in his often quoted paper, that in the same month William de Tracy, Sheriff of Gloucestershire, was ordered to victual the castle of Strogail, for defence against the Queen and Mortimer, which

which was done, and provisions to the value of £24 15s. sent in and delivered to Roger Barnard, probably the Governor. The fact that it was at this time one of the strongholds of Despenfer's power has been hitherto almost lost sight of.

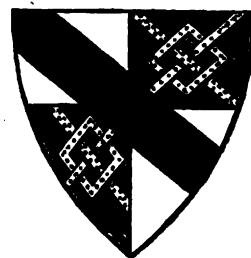
THE course of public events which ensued, culminating in the horrible death of the unfortunate King, need not be here related; but if we are to number Hugh Despenfer the younger among the Lords of Striguil, we must preserve uniformity of treatment by a few words of notice of him individually. He was hanged, drawn, and quartered, as he richly deserved, at Hereford, on the 18th November 1326. "Of this Hugh," says Fabyan (p. 430, ed. 1811), "a vercyfyer made theuse two verfys followynge:

'Funis cum lignis a te, miser, ensis et ignis,  
Hugo, securis, equus abstulit omne decus'

whiche verfys, to them that understande no Laten, maye in this wyse be expownyd, or Englysshyd :—

'With ropes were thou bounde and on the gallowe honge,  
And from thy body thynne hed with fwerde was kytte,  
Thy bowellys in the fyre were throwe and burnyd longe,  
Thy body in iiij pecys eke with an axe was flytte,  
With horse before drawyn, fewe men pyteynge it.  
Thus with these turmentys, for thy synnys fake,  
From the wretchyd Hugh all wordly welthe was take''

AMONG other indignities, which Knyghton records as having been heaped upon the favourite before his execution, is that of being dressed in a furcoat with his arms reversed. His reversed shield may have been suspended before him, but his arms were such as to defy the insult described by the chronicler, for they would present the same appearance either way up. They were Quarterly, Argent and Gules, in the 2nd and 3rd a fret Or, over all a bend Sable. His son, Hugh, then nineteen years of age, defended Caerphilly Castle with such success as to surrender it only on the terms of security for life, limb, and effects, for himself and his garrison. He lived to do good service to Edward III, and to be summoned to parliament as Baron Despenfer, and his grandson procured the repeal of the act declaring his ancestors traitors.



THOMAS



THOMAS de Brotherton, Earl of Norfolk, and Marshal, thus restored to his alienated estates, was one of those who, at the great council, or irregular parliament, held at Bristol on the 26th of October, proclaimed Prince Edward, Guardian of the Kingdom, to govern in the name and during the absence of the King, his father: and when, on the latter's forced resignation of the crown, the prince, then aged a little over fourteen years, was proclaimed King, his two uncles, the Earls of Norfolk and Kent, selected from their relationship rather than any personal fitness for the office, with the two Archbishops, three Bishops, and five Barons, were constituted by parliament a Council of Regency, while the person of the young King was placed in the special charge of his cousin, Henry, Earl of Lancaster. These arrangements were from the first a dead letter, and the whole powers of the state were usurped by the Queen and Mortimer. In 1328 the Earl of Lancaster formed a powerful confederacy among the prelates and nobles, including the Earls of Norfolk and Kent, to resist this new tyranny; but the defection of those two earls, who made their peace with Mortimer and the Queen, compelled the Earl of Lancaster also to come to terms; and it was left for the young King himself, by a wonderful exercise of spirit and resolution, before he had completed his eighteenth year, to assert his own authority, place his wicked mother under restraint, and arrest and punish the favourite. When the Earl of Kent himself fell a victim to Mortimer's hatred, the Earl Marshal had spirit enough to refuse to take any part in his execution. He assisted in the execution of the Queen's paramour in 1330.

A MAN of commanding talent, in the position in which the Marshal was placed, would have left a more enduring mark on the history of his age. We hear very little of his political career. He was with the King's army in the first expedition against the Scots, in 1327, and mustered the royal forces at Newcastle. In reward for his services on this occasion he had, in addition to a confirmation in tail general of all the castles, manors, and lands of Roger Bigod, sometime Earl of Norfolk and Marshal of England, then valued at 6000 marks per annum, equal to an annual income of £60,000 of our money, a grant of forfeited estates of the elder Despenfer (Dugdale's Baronage, ii, 63). He was in the King's train in his journey to France, to do his homage to Philip of Valois, in 1329, and accompanied the royal army, as the duties of his Marshaldship required, at the battle of Halidon Hill, 16 July 1333 (for which he had a respite of debt owing from him to the Exchequer), and again in

in 1337. We do not find his name among the commanders in the second Scottish expedition, in 1335; but in the more important expedition to Flanders, in July 1338, he is enumerated by Knyghton among those who set sail with the King. This was the last year of his life, and in the same year, probably in failing health, and to make a provision for his widow, he surrendered to the King the castle and manor of Strigoil, with the town of Chepstow, and procured a regrant of them, by charter 12 Edward III, to himself and Marie his wife, in special tail<sup>1</sup> (Dugdale's Baronage, ii, 64). The precise date of his death, in 1338, is not known, except from the fact that his obituary at Tintern was celebrated on the 24th August. It must have been previous to the 15th September, on which date the Marshalship was granted to his successor, William Montacute, Earl of Salisbury; but its history ceases for a period to be connected with that of Strigoil. He was buried in the choir of the Abbey of Bury St. Edmunds, where Barnes says a goodly monument was erected to his memory.

ACCORDING to most authorities, his widow was his second wife, his first being Alice, daughter of Sir Roger Halys; but Barnes, in his life of Edward III, mentions a still earlier wife, named Anne, by whom he had a son, Edward, who (in 1327, according to Adam Murimuth, p. 27, ed. English History Society) married

<sup>1</sup> This is here stated on Dugdale's authority, the original record not having been examined, but the calendar of it has:—"Rex concessit: Thomæ comiti Norff: et Marefcallo Angliæ in generali tallio castrum et manerium de Strogoill et villam de Chepestowe per servic: debet: revertere regi in feodo" (Cal. Rot. Pat., p. 133). Notwithstanding this, Dugdale's statement is retained in the text, as the mention of the joint names of De Brotherton and Marie his wife can scarcely have been a mistake, and still less probably an invention, whereas, if the limitations were to husband and wife in tail special, with remainder to the husband in tail general, the omission of the former limitation is a very possible mistake in the calendar, and if they were precisely as Dugdale gives them, the mistake is not unaccountable.

The limitations of the Patent are as under:

The King reciting that his uncle, Thomas, Earl of Norfolk, and Marshal of England, had lately surrendered into his hands the castle and manor of Strogoile, and the town of Chepstow, with the hamlets, knights' fees, and advowsons of churches, &c., &c., to hold to the King and his heirs for ever, he wishing to do a special favour to the said Earl and Mary, his wife, had given them back again to hold to them and the heirs of the body of the said Earl lawfully begotten, together with the knights' fees, &c., &c., to hold of the King and his heirs, and other chief lords of that fee, by the service due thereupon for ever, and if the said Earl should die without heirs of his body, then, after the death of the said Earl and Mary his wife, the said castle, &c., should revert entirely to the King and his heirs. Witness the King at Ipswich, 22 June. (Rot. Pat., 12 Edward III, Part 2, m. 27.)—ED.

married Beatrix, seventh daughter of the Queen's paramour, Roger Mortimer, but died without issue, in the lifetime, it is presumed, of his father. By his wife, Alice, Thomas de Brotherton had two daughters, the ladies Margaret and Alice Plantagenet. By his widow he is said to have had a son, who became a monk of Ely (Barnes' Edward III, pp. 51, 123); but this is contradicted by her *Inquisitio post mortem* (Gloucester, pt. II, 1st Nos. 9, quoted second hand from Notes and Queries), which says she had no issue by him. The point is not very material, as, being *civilter mortuus*, the existence of this son would not affect the devolution of the Lordship of Striguil. It is mentioned in a tract by Mr. Holland (F.S.A., temp. Eliz.) printed in Hearne's *Discourses* (ii, 112), and it is confirmed by ample documentary evidence, that the widow of Thomas de Brotherton did write herself Countess Marshal of England: but he points out that she was only tenant in dower, and could not be endowed of an office. As to Striguil Castle however, if it could have given her the title, she was not tenant in dower, but one of the donees in special tail, under the grant of 12 Edward III, if correctly quoted by Dugdale: but the title by grand serjeanty, assuming that it had at one time subsisted, had been lost for ever by the merger of the estate and office in the crown, on the death of Roger Bigod, and the subsequent grant of the Marshallship as an office by patent. The assumption of title, though, like the claim of her husband, unwarrantable under the altered circumstances, is not unimportant as corroborative evidence of the previous tenure of the office. The account given of this lady by Dugdale (*Baronage*, ii, 64) is that she was the daughter of William, Lord Roos, and widow of William, Lord Braose, of Brembre, and he says that "upon the 4th of the nones of March, 1345 (19 Edward III) she betook herself to the habit of religion in the Abbey of Langele, in com. Norff. but continuing not long there, returned to the world, as it seems; for in 26 Edward III, upon that expedition then made into France, she was charged with twenty men at arms, out of her lands in Strigoill and Netherwent, in the Marches of Wales, and in 28 Edward III founded a fraternity of lay brothers . . . . at Fisherton Anchor, in com. Wilts, as also a chantry, &c., . . . . and having taken to her last husband, Sir Raphe Cobham, knight, died in 36 Edward III." The subject of her pedigree and marriages has been thoroughly discussed in Notes and Queries, 3rd series, i, iv, viii, ix; and 4th series, xii, s.v. "Norfolk," "Braose," and "Maria Comtesse Marshal," and the result of the discussion is to establish that there are here at least two mistakes. The first is that, in describing her as the daughter of Lord Roos,

Dugdale

Dugdale has confounded her with a Mary of the previous generation, who married an earlier William, Lord Braose, who died in 19 Edward I (1290); and herself died in 19 Edward III, as shewn in the escheat rolls. Except for the sake of accuracy, the question is not material to our purpose. But the second mistake referred to, the order of her marriage, is of essential importance, for it involves the question whether Sir Ralph Cobham, in her right, was one of the Lords of Strigul. The authorities quoted in the above discussion shew conclusively that he was not. It is just possible that the lady may have been the wife of William de Braose, who succeeded to his father's lands in 1290, and has already been mentioned in connection with a transaction of the younger Hugh Despenser, but the order of her marriages has been the subject of the utmost conflict of authorities; and Dugdale himself, in his manuscript additions and corrections (published in the Collect. Top. and Gen., vi, 75, but again quoted second hand from Notes and Queries), says that Mary, on her marriage with Braose, was "widow, or afterwards wife, of Ralph de Cobham." The facts seem to be that, if she married the younger William de Braose at all, he must have been her first husband (last heard of as summoned to parliament in 16 Edward II, according to Dugdale), and Ralph de Cobham her second. He died in 19 Edward II, according to Inquisitions for the county of Berks, leaving a son and heir, John, one year old, after which date she married Thomas de Brotherton. If Sir Harris Nicolas be correct in placing the death of William de Braose in 1326, which may have been either before or after the death of Sir Ralph Cobham, her marriage with both, in either one order or the other, is in the highest degree improbable. No one has ever informed us when she married William de Braose, or, except conjecturally, what was her maiden name. If the point were material to our purpose, it might be worth while to hazard a guess that she may have been his sister, and not his wife, or at all events that de Braose was her maiden name, whether belonging to this or an entirely different family. By a deed, dated 35 Edward III (Cott. MSS., Jul. C. vii, 174, quoted in Notes and Queries), John de Cobham made a grant for life to his mother, "Maria de Breuse, Countess of Norfolk," of lands he had acquired from one Ralph de Wedon. He may have described her by her maiden name, but would scarcely describe her by the name of her first or second husband. In her own Inquisition p.m. 36 Edward III, she is styled "Maria, comitissa Norfolc. uxor Thomæ de Brotherton, comitis Norfolc. relicta Rad. de Cobham, militis." All however that concerns us is to shew that she remained till death the widow  
of

of Thomas de Brotherton, and did not, *after him*, marry Sir Ralph Cobham, as stated by Dugdale. She had not only a life interest in Striguil, under the grant above noticed, but an assignation in dower of lands in Suffolk, Norfolk, Herts, and Cambridge.

MARGARET Plantagenet, the daughter, and eventually, on failure of the issue of her sister Alice, the sole heiress of Thomas de Brotherton, was styled Countess of Norfolk; and it would appear rightfully so, after the termination of the abeyance by the failure of issue of her sister, the limitation of the earldom having been to their father and his heirs in tail general. See a note to Nicolas's *Historic Peerage* by Courthope, in which, however, it is stated that the Earldom of Norfolk is by most writers considered to have become extinct on his decease, for reasons not mentioned, but possibly by confounding the limitations of the earldom with those of the Marshalsea. Strutt's *Regal and Ecclesiastical Antiquities* has a very curious portrait of her (Pl. xxxvi), from the Golden Register of the Abbey of St. Albans, being one of the series of portraits of benefactors, chiefly by Alan Strayler,<sup>1</sup> the earliest English portrait painter whose name has come down to us. She married, first, John, third Baron Segrave, whose descendants by her we shall have to mention in a future page: but he left her a widow in 1353; and it must have been within a year or so afterwards that she took for her second husband that most chivalrous ornament of the golden age of chivalry, Walter, Lord Manny.

It is strange that he should be so constantly spoken of as Sir Walter Manny: for, irrespective of any foreign rank, as Lord of Manny, in Hainault, he was summoned to and sat in the English parliament, as Baron Manny, for five and twenty years, from 1347 to his death in 1372. We have no record of the date of his birth, and an attempt to infer it from the dates incidentally mentioned in relation to the circumstances of his life involves some little contradiction: but, in the absence of better information, they are here stated. Barnes, in his life of Edward III (p. 317), citing as his authorities in part Froissart, and in part the Florentine historian, Giovanni Villani, mentions,

under

<sup>1</sup> The gratitude of the Monks for his liberality in foregoing a claim of 3s. 4d. for pigments has perpetuated his name in the following distich, as recorded in Weever's *Funeral Monuments*, p. 378:—

“Nomen pictoris Alanus Strayler habetur,  
Qui sine fine choris celestibus affocietur.”

one of the small force which fought the ever memorable battle of Poitiers: but, with these exceptions, there were few important events, in which the English army was engaged on the continent in his time, in which his name was not conspicuous. To enumerate them is unnecessary. How shall we in any reasonable compass sketch the career of the foremost champion, and one of the foremost captains of his age? Who, that is familiar with the romantic pages of Froissart, has not read with interest how he snatched Sir John Boteler, of Warrington, and Sir Matthew Trelawny from the tent of the Lord Lewis, of Spain, their eyes already bandaged for execution—how he wielded his battle axe over the prostrate body of his leader, lying helpless in his armour as a stranded turtle, and set him on his legs again to the cheery cry of “Lancaster, for the Earl of Derby”—how, after an early dinner, he suggested and carried out the design of supping in the French town of Bergerac—how he fought at Cambray, at Auberoche, at Conquest, at Quimperley, at Gouy-en-le-Forêt, at Vannes—how he raised the siege of Hennebon, and how the Countess of Montfort received him in the market place, and “kissed him and each of his companions, like a noble and gallant lady?” And so she was. Does any reader picture to himself an unprotected female, kissing her deliverers in a paroxysm of emotion at escape from overwhelming peril? Not a bit of it. The Countess of Montfort was made of sterner stuff. She commanded her own troops, or rather her imprisoned husband’s, and performed in person all the duties of a gallant soldier, requiring her ladies to cut short their kirtles, to enable them to do the same. On one occasion, during an attack by the besiegers, observing from her watch tower that their camp was somewhat deserted, she mounted her charger, and, clad in armour, sallied forth, with a hundred men at arms, to attack it, and when she had found her retreat cut off, amused herself with a week’s campaign, and then re-entered her castle by a feat as daring as that by which she had left it. Such a lady was no mean judge of deeds of arms. She must have been one after Sir Walter Manny’s own heart, and if she had been a little younger, and no Sir John Montfort in the case, she might have spoiled the chances

the anonymous play of “The Raigne of King Edward the Third,” which Mr. Capell, and more recently Mr. Payne Collier, have ascribed, wholly or partially, to Shakespeare: but Sir Walter Manny is entirely ignored, and the adventures of obtaining the pass, marching to join the King, and being arrested, but set at liberty on the remonstrance of the Duke of Normandy, are attributed to the Earl of Salisbury, whose escape from death, at the intercession of the King of Bohemia, after being taken prisoner at Lisle, has some features of resemblance to Sir Walter Manny’s adventure.

chances of Lady Margaret Plantagenet, and changed the destinies of Striguil Castle. It is time we should return to events more immediately connected with it, leaving the military history of Sir Walter Manny untold, as a subject too large to be sketched in our pages.

His marriage with the King's cousin, the widowed daughter of Thomas de Brotherton, must have been in or about the year 1354, which is indicated both by the age of their daughter at his death, and by a special pardon, obtained in 29 Edward III, to himself and Margaret his wife, for her transgression in going beyond sea contrary to the King's prohibition (Dugdale's Baronage, ii, 149). In 1362 the widow of Thomas de Brotherton died, whereupon the lands assigned to her in dower<sup>1</sup> became devifible among her husband's heirs, and the castle and town of Striguil, which had been the subject of the surrender and regrant already noticed, reverted to the crown, for want of issue of the marriage. The transaction relating to it was very similar in form to the surrender and regrant in the case of Roger Bigod, but with the exception that in the present case there was, and it may from the first have been understood that there should be, a regrant to a member of the family. Dugdale (Baronage, ii, 150) says Sir Walter Manny "had in right of his wife an assignation of her purparty of the lands which the widow had held in dower, namely the castle and manor of Strigoil, with the town of Chepstow, and its members, in the Marches of Wales, as also of the manor of Weston, in com. Hert., Stonham, Walton, and the one moiety of the manor of Kennett, in com. Suff., as also of the other moiety lying in com. Cantab." Elsewhere (ii, 653) he mentions that Joane, wife of William de Ufford, Earl of Suffolk, only daughter and heiress of Alice, the other daughter of Thomas de Brotherton, by her husband, Sir Edward Montacute, had an assignation of the castle and manor of Framlingham, and other manors in Suffolk and Norfolk. She died in the lifetime of her husband, who married a second wife, and died in 1382, and on his death, if not before (for there was no issue of his first wife, or at all events none who survived him), the elder sister, Margaret, became the sole representative of Thomas de Brotherton. The lands assigned to Sir Walter Manny, as his wife's purparty, would be held by him in her right, and his interest in them would pass to her on his death: but there is an apparent error of Dugdale in including Striguil among them

<sup>1</sup> She did not hold it in *dower*, but her own right, under the limitations of the regrant of 12 Edward III. See note ante p. 142.—ED.

them. To do so is in contradiction to his own account of the terms of the regrant to Thomas de Brotherton and Mary, his wife, in special tail, and to the fact that this castle and lordship descended, on Sir Walter Manny's death, to his son-in-law, John Hastings, Earl of Pembroke, in right of his wife, who, though heiress of her father, was not heiress, or at all events not sole heiress, presumptive of her mother, there being issue of her earlier marriage with Lord Segrave. The true statement of the facts probably is that Striguil, having under the regrant, and on failure of the joint issue of Thomas de Brotherton and Mary, his wife, reverted to the crown, was granted to Sir Walter Manny in his own right, with or without limitations over in favour of his wife, in case of failure of his issue by her.

He must have been enormously rich. He was not only the owner of ancestral estates in Hainault, but had had grants of lands in Kent, and property in Calais, and was seized, in right of his wife, of manors in Essex, Herts, Worcestershire, Derbyshire, Northamptonshire, Shropshire, Warwickshire, Leicestershire, Suffolk, Norfolk, and Bucks, enumerated by Dugdale; and, unless his expenditure was commensurate with his gains, he must have had a vast fortune in personal estate: for, under the system which gave the ransom of prisoners to their captors, war was a business, in which, when carried on with spirit and enterprise, such as Sir Walter Manny's, large fortunes could be made; and it is stated in Andrews' *Great Britain and Europe* (i, 360), citing Rymer's *Fœdora* as an authority, that in the campaign of 1340 alone, he made from this source £100,000 sterling. As this, according to the usual computation, would be equal to a million and a half of our money, the statement is utterly incredible; but we may take it as representing gains of literally immense amount.

In addition to his military fame, he earned a title to the remembrance of posterity by his foundation of the Charterhouse. During a dreadful pestilence in the city of London, in 1349, in charitable care for the dead, he purchased upwards of thirteen acres of land, called Spittle Croft, belonging to St. Bartholomew's Hospital, for a cemetery, in which there were buried in one year more than 50,000 persons, and built a chapel of rare workmanship and design, intending to have it made collegiate, for twelve priests and a provost, and to endow it amply: but changing his mind, in 1371, the year preceding his death, and stimulated by an opportune bequest of £2000 by Michael Northburgh



Northburgh, Bishop of London, for founding a Carthusian convent, he obtained the royal licence, and further endowed it as a monastery of Carthusian monks, to pray for the good estate of himself and Margaret, his wife, during their lives in this world, and afterwards for their souls, as also for the souls of Alice of Hainault,<sup>1</sup> Michael Northburgh, sometime Bishop of London, and of all his ancestors, which monastery (the name of Chartreux being corrupted to Charterhouse) was sold after the dissolution of the monasteries, and eventually re-endowed as a hospital by Thomas Sutton.

THE Order of the Garter was instituted in 1349; and it might naturally have been expected that one of the first names which would occur to the sovereign for selection would be that of Lord Manny. Sir John Froissart, in the opening chapter of his chronicle, names him as one of five, whom, along with King Edward III and the Black Prince, he selects as eminent in knightly prowess above all Englishmen: and in the very year previous to the institution of the order, the King and Black Prince had paid him a compliment, such as, it has been observed, was never before paid by sovereign to subject, by fighting under his banner, when, in the true spirit of chivalry, they determined to take part incognito in the defence of Calais against a night attack, made in pursuance of an already discovered plot for its betrayal. But, strange to say, Lord Manny was not one of the original twenty-five members, or Founders, as they were called, of this illustrious order, though he was eventually admitted to it, and that too at an earlier date than has been generally supposed. The lists of knights contained in various works place him twentieth in order of the creations subsequent to the original institution: but all these lists are, in fact, based on the chronological list contained in Heylin's History of St. George, but without his explanatory note that as to the times of election in the reign of Edward III and in the two following reigns, there is nothing extant, the registers being, in that part, defective, and that he has therefore ranked them according to their degree and quality. First come, in accordance with this arrangement, Princes, Dukes, Earls, and Barons, and then—the very first of those described (and in this case erroneously) as being of lower rank—comes the name of "Sir Walter Manny, Banneret, a gent. of Haynault, one of especial merit and employment in our wars with France." Heylin himself derived

<sup>1</sup> A correspondent of Notes and Queries, 3rd Series, ix, 531, identifies this lady, with Alice, daughter of John de Avesne, Count of Bayonne, the widow of the last Roger Bigod. She is again referred to in Lord Manny's will as Alice de Henalt, Countess Marshal.

derived his information chiefly from a document, in French, preserved in St. George's Chapel, giving a list, in chronological order but undated, of the holders of each stall, and under stall No. 15 we find "Mons. Jehan Grey et premier fondeur—apres lui vint Mons. Wautier Manny." The founder thus indicated is Sir John Lord Grey, of Rotherfield, who died 1st October, 1359, shortly after which date we may conclude the omission of excluding from the original list of knights, a name which would have added lustre to the order was, as far as could be, rectified.

His escutcheon is not now extant in St. George's Chapel, nor has it been described: and, as if there was a fatality attending the arms of the lords of Striguil, there is room, in this case also, for question. Burke gives the arms of Manny, Sable, a cross voided Argent, I know not on what authority: Ashmole has Or, three chevrons Sable: and Mr. Doyle, whose Chronicle of England we have elsewhere referred to as an authority, has a plate, in which the King and Black Prince are represented fighting under that banner in the night attack on Calais. The arms of the Charterhouse might have been expected to settle the question, as monasteries usually adopted those of their founders; and here we find the three Sable chevrons: but modern heraldic dictionaries give them as the arms also of the second founder, Thomas Sutton, possibly under the erroneous supposition that the Hospital had adopted his arms, while they were really those of the earlier founder, Lord Manny. It is quite possible—but the idea is offered merely as a speculation—that the voided cross may have been his ancestral coat, and that he may have adopted the chevrons of the Clare family, varying the tinctures, in allusion to his ownership of Strongbow's castle and lordship of Striguil.

HE died on the 15th of January, 1372, and was buried in his own monastery with great solemnity, in the presence of the King and all his children, and many of the principal prelates and nobles. He left his wife surviving, by whom he had two children, Edward, who was accidentally drowned in a well, at Deptford, in the very year of, but query whether before or after, his father's death, and Anne, married to John Hastings, Earl of Pembroke,<sup>1</sup> the second Earl of that family, his father having obtained the earldom

<sup>1</sup> Strange to say there are great discrepancies in the Record evidences as to the day of the death of Sir Walter Lord Manny. In the Inquisition taken at Chepstow 12th February 46 Edward III (1371-2), on the death of Walter de Manny, Chivaler, deceased, it was found that on the day of his

earldom in consequence of his marriage with the sister and heiress of Aymer de Valence, whose father had been created Earl of Pembroke on his marriage with the daughter of one of the coheiresses of the Marshals—his earldom being at the same time created a Palatinate. Marriages, as well as wars, are made occasionally "*pour une idée*," and the sentiment in this case may have been the desire to reunite the ancient earldom of the Strongbows and Marshals with the ownership of Striguil Castle. In right of his wife, he succeeded to the ample inheritance of Lord Manny, subject, as Mr. Wakeman reminds us, to her mother's dower, which, as I collect from his statement, was assigned to her from Striguil, though I find no record of it.

THE Earl of Pembroke had previously been married to Margaret, fifth daughter of Edward III, and as both she and Anne Manny were great-grand-daughters of Edward I, the bride and bridegroom were within the degrees of affinity rendering necessary a papal dispensation, for which the Earl gave 1000 florins of gold, for the repair of the monastery of St. Paul at Urbine

death he held the castle and lordship of Strugull in the Marches of Wales, adjoining the county of Gloucester and the manor of Tudenham with the advowson of the Church of la Caute (Lancut) as of the right and inheritance of Margaret his wife, still living, held of the King in capite by homage and fealty. And the jurors say the castle and lordship of Strugull are worth per annum in all issues £70, and the manor of Tudenham with the advowson of la Caute are worth per annum in all issues, according to the true value of the same, £50; and they say that the said Walter died 8th January last past and that Margaret his widow is the next heir and is aged forty years and more.

In another Inquisition taken 4th February, 46 Edward III, it is found that he died 15th January, 45 Edward III (1371-2).

In another Inquisition, taken on Tuesday in the second week of Lent, 46 Edward III, it is stated that he died at Great Chesterford in Essex on Thursday next after the feast of the Epiphany of Our Lord last past, and that Anne wife of John Hastings, Earl of Pembroke, is the next heir of the said Walter, and was aged 17 years on the vigil of St. James last past (July 24th, 1371). Her mother's marriage, therefore, could not have been later than 1353. As the feast of the Epiphany fell in this year on Tuesday, Thursday in the second week would fall on the 15th January, 1372, according to our present reckoning as stated in the text, which also agrees with the second cited Inquisition. In another Inquisition Sir Walter is stated to have died on 1st January, and in another on 13th January, 1372.—Inq. p.m. 46 Edward III, No. 38, 1st Nos.

In these circumstances we agree with the author in considering the most probable day of Sir Walter's death was 15th January, 1372 (N.S.) It is clear that if he had a son, and no such son is mentioned in the Inquisitions, he was dead before his father. Lord Manny is styled Sir Walter Manny, Knt.—ED.

Urbine (Dugdale's Baronage, i, 577). He was a Knight of the Garter, and eminent as a military commander, but unfortunate in an expedition to Aquitaine, of which he was appointed the King's Lieutenant, being then about twenty-five years of age. Being attacked by the Spanish navy, in the haven of Rochelle, he maintained an unequal contest for two whole days, when, his ships being all taken or destroyed, he and many others were carried prisoners into Spain, where he remained several years. He was ultimately ransomed for a large amount, advanced by Bertram Clekin, Constable of France, but died on his way homewards, at Arras, between Paris and Calais. The date of his death has been variously given. Mr. Morgan, in his valuable memoir on the Abergavenny Monuments, states it as the 16th April, 1373. Holinshed (ii, 805, ed. 1809) has "the 49th year of Edward III, in the year of our Lord, 1374" but 49 Edward III would be 1375, which agrees with the date of 16th April, 1375, given in Nicolas's Historic Peerage.<sup>1</sup> The Inquisition post mortem, cited in Dugdale's Baronage, which again is dated 49 Edward III, states him to have died seized of the castle of Striguil, with the town of Chepstow, and manor of Todenham, in com. Glouc. and Marches of Wales.

HE left his widow, who survived him till 1384, and a son and heir, John Hastings, who was only two and a half years old at his father's death. He was unquestionably Earl of Pembroke, though it is singular (as mentioned in a note to Nicolas's Historic Peerage by Courthope) that he was not so styled in the Inquisitions on his death, or other records, but only as "John, son of John, late Earl of Pembroke."

THE coronation of Richard II was held with unusual magnificence, and his uncle, John of Gaunt, was appointed High Steward for the occasion, and held a court of claims, the records of which furnish several interesting facts connected with our subject. There was a claim on behalf of "John son and heir of John Hastings, late Earl of Pembroke, to be admitted to his office of carrying the great spurs of gold before our lord the King at his coronation, in like manner as William Marischall, his ancestor, carried them at the coronation of the King." Now at the coronation of Richard I, as will be seen

<sup>1</sup> It was found in the Inq. p.m. of John Hastings, Earl of Pembroke, taken at Gloucester, 14th May, 1375, 49 Edward III, that the said Earl died 16th April last past, that would be 16th April, 1375, as stated in the text.—Inq. p.m., 49 Edward III, Part 1, No. 70.—Ed.

seen on reference to our notice of that event in a previous chapter (p. 68), the golden spurs were not carried by William Marshal, but by his elder brother, John Marshal, then holding the hereditary office of Marshal of the King's House, before its union, in the person of William Marshal, with the Marshalship of England, derived from the Clares. The young Earl of Pembroke's claim could scarcely rest on an official right to carry them in respect of the office of Marshal of the King's House, for he claims no such office, and it was unquestionably merged in the office which, on the death of Thomas de Brotherton, had been granted to the Earl of Salisbury. If on the other hand the claim was to a service in grand serjeanty, the omission to refer to any manor or lands held by that service is remarkable, and the more so as there was another claim by the same petitioner, to carry the second sword, as the service by which he held the castle of Tenby, and other estates therein specified. Both claims were admitted, though the second was met by a counter claim of the Earl of Arundel and Surrey, but in consequence of the minority of the Earl of Pembroke the spurs and sword were appointed to be carried on his behalf by the Earl of March.

A MORE extraordinary claim remains to be noticed, which has already been incidentally referred to in several previous chapters. It was by "*Margarette, fille et heir Thomas de Brotherton, d'estre acceptée al office de Marefcalcie . . . . . fefant l'office per son depute, come Gilbert Marefchall Counte de Strogoile fist al coronement le roy Henry II.*" The claim was very properly disallowed, but in the courteous form of a declaration that time did not admit of its due examination. The only question which here arises is what shadow of pretext she had for such a claim, in the face of the patent to her father limiting the office to his heirs male. Once more, the conjecture as to the tenure of Striguil will furnish an answer. She may have contended that her father held by a double title—firstly under the patent, and secondly by grand serjeanty, as Lord of Striguil. The reference by that title to Gilbert Marefchall, whoever may have been the person so indicated, favours this supposition, and the assumption by her father's widow of the title of Countess Marshal of England indicates that she too clung to the idea of the former tenure of the office being still subsisting. It is true that the Lady Margaret was only tenant in dower. She could not be endowed of an office, as we have been already reminded; but it would seem that the actual holder of lands even in dower would be the person entitled to perform a service of grand serjeanty in respect of

of them : for at the same coronation Anne, Dowager Countess of Hastings, the daughter of Lord Manny, claimed and was allowed to perform the service of the napery, in respect of her tenure by dower of her late husband's manor of Altheley, in the county of Norfolk. All these claims are printed in Holinshed (ii, 806, ed. 1807). I do not wish to be understood as contending for a moment that the claim of Margaret Plantagenet was maintainable on the ground above suggested, in the face of her father's patent, and the actual tenure of the office of Marshal in other hands ; but it would have afforded just so much colour of title as to furnish a pretext for admitting it, if the influences which we may suppose to have operated on such occasions had been powerful enough to accomplish her object. It was the thin edge of the wedge, which, if once admitted, might have led to important results, and was a not much less hopeful speculation than that of setting up a barony by tenure in the nineteenth century—a proceeding to which it would bear some resemblance. The time eventually came when the influence of her too celebrated grandson, Thomas Mowbray, was powerful enough to procure both for her and him still higher honours, and again to place the Marshal's rod in the hands of the Lords of Striguil.

THE young Earl of Pembroke did not live to obtain livery of his lands. On the 13th December, 1389, at the age of seventeen, while practising tilting in Woodstock Park, with Sir John St. John, a young knight of his own age, either in the actual exercise, or in the course of rough play between the two youths, he received an accidental blow in a vital part, which shortly proved fatal. "The loss of this Earl," says Holinshed, "was greatly bemoaned by men of all degrees, for he was liberal, gentle, humble, and courteous to each one, above all the other young lords in the land of his time." Young as he was, he left a widow, Philippa, daughter of the Earl of March, but she lost her dower for the same technical reason as the widow of Anselm Marshal. The Earl of Pembroke had no issue, and with him the earldom again became extinct.

As to the arms of Hastings, Or, a maunch Gules, there can be no mistake. They were made matter of notoriety by a cause in the Court of Chivalry, between Edward Hastings and Reginald, Lord Grey, the rival claimants of the right to bear them after the death of the last Earl. It rivalled the famous Scrope and Grosvenor contest : for it lasted twenty years,  
and

and Hastings, the defeated claimant, was imprisoned for twenty-six years for non-payment of costs, to the amount of £970 17s. 10d, equal to between £14000, and £15000, of our money (Dugdale's Baronage, i, 578).<sup>1</sup>

<sup>1</sup> An account of this remarkable cause in the Court of Chivalry was privately printed in 1841 from a MS. in the College of Arms by the late Sir Charles Young, Garter, at the expense of Jacob Lord Hastings. Upon the death of the Earl of Pembroke a contention arose between Reginald Lord Grey of Ruthyn, who claimed and assumed the arms, inheritance, and name of Hastings as heir general, being descended from Elizabeth, sister of the *whole blood* of John third Lord Hastings, and Sir Edward Hastings, who maintained his right to bear the arms as *heir male*. Incidentally other questions arose in the suit: viz., as to whether livery of lands would transfer the right of bearing the arms; whether a label of three points was the proper difference for the next heir of a family; and whether the possession of the honours by an elder brother gave those honours to his sister of the *whole blood* in preference to the right heirs of his younger brother of the *half blood*. Sir Edward Hastings assumed the title of Lord Hastings and never relinquished it. He was a minor at the commencement of the suit, which caused some delay in the proceedings, which, as stated in the text, lasted twenty years. He pursued his claim with great courage, charging his opponent with criminal proceedings in having abstracted his evidences, and challenged him to judicial combat. We find in his declaration, "And I say to the Reginald Grey before said that I Edward before said have best right to beare, have, and use the arms of Hastings, the which ben of gold with a maunche gewles, and where thou has said that thou has best right to bere, have, and use the same armes, and that I have wrongwisly usurped the aforesaid armes, I say thou lyeest falsly. Over that I say, that thou Reginald Grey, Knight, with thine adherentes and complices in this pte, hast withdrawen the evidences and munementes pteynninge to me touchantz the heritage of Hastings, colludenge in subtraction of my proves by me to be made in this cause of armes, falslych and criminouslych against Knighthode, comon profit, in wicked ensample, in subversion of trew lawes, and in illusion of the King . . . . . And these maters criminals I am redy to prove on the Reigold Grey with my body against thy body." Judgment was given on 9th May, 1410, in favour of Lord Grey de Ruthyn, with costs amounting to £987. These costs Sir Edward Hastings refused to pay, fearing it might be deemed an acknowledgement of Lord Grey's right, and was thrown into the Marshalsea. He at once appealed against the judgment, but though commissions from time to time were appointed for the purpose, the appeal was never heard, and he languished in prison twenty-six more years, at times treated with great severity, "boundyn," he pathetically says, "in fetters of iron liker a thief or a traitor than like a gentleman of birth." Neither imprisonment, nor chains, nor destruction of his own health, nor the deaths of his wife and children could shake his constancy. Lord Grey several times offered to forgive him the debt and release him from prison, on the condition that he should relinquish his claims, but he steadfastly refused. The only compromise he would entertain was a marriage, either in his own person or in that of one of his sons with one of the daughters of his adversary, in which case he said he would relinquish to him and to the heirs of such marriage all his rights, but in the event of there being no such heirs, to revert to himself and his heirs. He died in 1437, and his son John Hastings yielded to the usurpation of Lord Grey, and in the reign of Henry VIII, the representation of the house of Hastings fell among coheirs. After the lapse of four centuries, in 1841 the abeyance was terminated in favour of Sir Jacob Astley, one of the coheirs of Sir Edward Hastings and of Sir Henry Hastings summoned to Parliament in the 49th Henry III.—Ed.

## CHAPTER VII.

## THE DUCHESS OF NORFOLK AND THE MOWBRAYS.



**T**O understand what became of Striguil and other estates of the last Earl of Pembroke, on his premature decease, we must revert to the first marriage of his grandmother, Lady Margaret Plantagenet, who, as already mentioned, was, at the time of her marriage with Lord Manny, the widow of John, third Baron Segrave. By him she had two daughters, one of whom, Anne, became Abbess of Barking, and the other, Elizabeth, was married to John, ninth Baron Mowbray, who was slain in the Holy Land in 1369, leaving his widow, who died soon afterwards, and two sons by her, the eldest of whom, John, tenth baron Mowbray, aged four years at the death of his father, was, at the coronation of Richard II, created Earl of Nottingham, with a special provision that all his lands and tenements, whereof he was then possessed or which he should afterwards acquire, should be held sub honore comitali, and as parcel of his earldom. He died, however, without issue, at the commencement of 1383, and on the 12th of February in that year the earldom of Nottingham was conferred on his brother, Thomas Mowbray, eleventh baron, whose career furnishes a striking chapter to English history.

He is mentioned by Holinshed (ii, 779, ed. 1807) as having been "ever the King's playfellow, and of equal age to him," which, if there was a difference of a year in the ages of the two brothers, would be exactly the case. In the  
very



very year of his creation as Earl of Nottingham, when, according to this computation, he would be only seventeen years of age, he succeeded, on the death of Sir John Barley, to his stall in St. George's Chapel, and in October of that year the King's embroiderer had orders to prepare for him a garter and robes on the occasion. Two years later, in 9 Richard II (1385), he had a grant for life of the office of Marshal, and in the same regnal year (12th January 1386), at the parliament in which his great rival Henry Bolingbroke was created Earl of Derby, the Earl of Nottingham had a further grant to him and the heirs male of his body of "the office of Marshal of England, with the name and honour of Earl Marshal," which was now first officially granted, though long previously attributed to the Marshals of England by common repute. We noticed, in relation to Thomas de Brotherton, the patent said to have been granted to him, but which turns out to be the second of the above grants to Thomas Mowbray, with its illuminated initial letter, representing him as receiving his patent from the King. The disparity in age shewn in Strutt's engraving between the Sovereign and the Marshal is much less apparent in the original illumination. The latter carries his rod, and is in armour, with a jupon emblazoned with his arms, Gules, a lion rampant Argent. In Camden's Remaines (p. 228, ed. 1657), a patent of the same year is given as the marginal authority for a statement (speaking of augmentations of arms) that "Richard II, choosing St. Edward the Confessor to be his patron, impaled his coat with the arms of England, and of his mere grace granted to Thomas, Duke of Surrey, to impale likewise the same St. Edward's arms in a border ermine with his own; and to Thomas Mowbray, Duke of Norfolk, the same holy King's arms entirely: notwithstanding Henry Howard, Earl of Surrey, lineally descended from him, was attainted, among other pretences, for so bearing the same." Of course Camden was speaking of these noblemen by their titles acquired long subsequently to the date of their patents, and his statement as to Henry Howard, Earl of Surrey, is borne out by the indictment against that accomplished and ill-fated nobleman, printed in the Appendix to Dr. Nott's edition of his Works (4to. London, 1815). The arms of Mowbray, as still quartered by the Duke of Norfolk, are Gules, a lion rampant Argent, armed and langued Azure: and I presume this coat, impaled with the arms of Edward the Confessor, Azure a cross patonce between five martlets Or, the latter occupying the dexter side, was borne by Thomas Mowbray and his descendants till the extinction of the male line and then quartered by the Howards: for it appears from Dr. Nott's

Memoir

Memoir (p. cii) that Surrey urged on his trial that "his ancestors had, of a long continuance, worn them, as well within the kingdom as without, and that they had been constantly borne by himself in Henry's presence, and by others of his family in the presence of the several Kings, Henry's predecessors."<sup>1</sup> While on the subject of arms we may mention, though out of its proper date, that Camden, two pages later, in treating of crests, cites a patent, 17 Richard II to Thomas Mowbray, Earl Marhal and Nottingham, that whereas he might lawfully bear a leopard Or, with a label Argent about his neck, which might lawfully appertain to the King's son and heir, he should, in place of that label, bear a crown Argent.<sup>2</sup>

Soon after the grant of his earlier honours, he accompanied Richard, Earl of Arundel, the Lord Admiral, in a successful expedition to Flanders, and on his return, as we are told by Holinshed, "came to court, hoping to be right welcome, and to receive great thanks at the King's hands: but he had no good countenance shewed unto him, neither of the King, nor of the Duke of Ireland, who, disdainning once to talk with him, seemed to envy the worthy prowess in other, which he knew defective and wanting in himself." This incident furnishes the key to the Earl of Nottingham's political career.

Robert

<sup>1</sup> The death of Surrey was a judicial murder. As acts of treason, the charges against him are beneath discussion: but if the question had been one in the Court of Chivalry, it might well have been contended that the King was right in his heraldry, though wrong in his law. Surrey was undoubtedly entitled to quarter the arms of Mowbray, either with the augmentation, or, it is presumed, without: for the latter could scarcely be compulsory. But if used at all, it was as an integral part of the augmented coat; and he had no right to treat the arms of Edward the Confessor as a separate coat, and quarter it accordingly. This is what he seems to have done. A document in the State Paper Office, apparently corrected by the King himself, has a query, "If a man, coming of the collateral line to the heir of the crown, who ought not to bear the arms of England but on the second quarter, with the difference of their ancestor, do presume to change his right place, and bear them in the first quarter, leaving out the true difference of the ancestry, and in the lieu thereof use the very place of the heir male apparent, how this man's intent is to be judged, and whether this import any danger, peril, or slander to the title of the prince, or very heir apparent, and how it weigheth in our laws." His father, the Duke of Norfolk, is spoken of at the trial as "having blamed him for his want of skill in quartering the family arms." But perhaps the coat of Thomas de Brotherton, which the Howards, through the Mowbrays, were entitled to quarter, was what the King referred to as the arms of the heir to the crown.

<sup>2</sup> This throws light on the malicious evidence of Surrey's unnatural sister, the Duchess of Richmond, that her brother "wore on his arms, instead of a Duke's coronet, what seemed to her judgment much like a close crown, and a cypher, which she took to be the King's cypher, H.R.

Robert Vere, ninth Earl of Oxford, and successively created Marquis of Dublin and Duke of Ireland, had already acquired much the same influence over Richard as Gaveston and Despenfer had exercised over Edward II, and naturally sought to discountenance one, who, from his early intimacy with the King, might reasonably be feared as a rival favourite. His repulse at court threw him at once into the counsels of the party who were seeking the destruction of the Dukes of Ireland and Suffolk, and the other advisers of the King in his efforts to free himself from the control exercised over him by his uncles during his minority. Of these, John of Gaunt had already withdrawn himself from public affairs in England; and Edmund of Langley, Duke of York, was not a man to make himself of much account for good or evil. Thomas of Woodstock, Duke of Gloucester, a man of vigour and influence, alone of the three brothers, maintained the struggle for power: and his associates were the Earls of Arundel, Warwick, Derby, and Nottingham. We find these five noblemen constantly acting together, both in parliament and the field, in the two eventful years which ended in the overthrow of the Duke of Ireland, at Radcot Bridge, and the calling of a parliament, which may be said to have simply registered their decrees in attainting and executing the King's favourites, and conferring a general pardon and indemnity on the victorious nobles. Shortly afterwards came the coup d'etat, by which the King took the government into his own hands, and his reconciliation, apparent or real, with the Duke of Gloucester.

THESE events bring us to 1389, in which year, the Earl of Nottingham was sent, with five hundred spears, to repel an incursion of the Scots into Northumberland, "but, for that his power was small in comparison to theirs, he prevailed little or nothing against them" (Holinshed, ii, 798, ed. 1807). For several years from this period there is little, even in general history, to record, and nothing affecting the subject of our memoir. It was at the end of this year that the death of the young Earl of Pembroke, without issue, caused his estates to revert to the crown, unless there were limitations in the last grant, of which we know nothing. Striguil was already, as we have supposed, vested in Margaret Plantagenet, Countess of Norfolk, in dower; and I am not aware whether a grant was now made to her of the estates of her deceased grandson, or with what limitations, or, indeed, whether the estates had not been limited to her in remainder by the grant to Lord Manny.

WHEN

WHEN next we hear of the Earl of Nottingham, he was in confidential relations with the King. In 16 Richard II (1392) he was appointed Governor of Calais. In the following year we have seen how he received the cheap but not unvalued honour of an augmentation of arms; and in 1396 he acted as the King's proxy in espousing the Lady Isabel of France. In the same year he accompanied his sovereign to Paris, to receive his bride, and arrange, in a personal interview with the French monarch, the terms of peace. The young Queen was brought home, amid great festivities, in November, and in the parliament following there was a distribution of honours in celebration of the event. Among the rest, the King, in full parliament, on the 5th February, 20 Richard II (1397), confirmed to the Earl of Nottingham and the heirs male of his body the office, title, and honour of Earl Marshal of England, together with all the fees, dues, and profits, thereto belonging, in as full and ample a manner as they had been enjoyed either by Thomas de Brotherton or by Roger Bigod, theretofore Earls of Norfolk, or by any other person since their decease, together with the union thereunto of the office of Marshal in the King's Bench, Marshal in the Exchequer, and Marshal Crier before the Steward and Marshal of the Household, and also further granted and ordained that the Earl and the heirs male of his body, Earls Marshal of England, should, by reason of such their office, bear a golden truncheon, or rod, enamelled with black at each end, and having engraved thereon, at the upper end, the King's arms, and at the lower end his own arms, instead of the baton of wood which, till that time, the Marshals of England had been accustomed to carry in their hands (Edmondson's Her. i, 55, quoting Cart. xx Richard II, n. 3—Rot. Par. 20 Richard II, n. 33).

BUT the altered relations of the King and his Earl Marshal were shewn in other ways than in public and official employments. De Vere no longer stood between them to intercept the royal favour. The intimacy of early years was renewed, and the King's companion in the sports of his childhood, and probably in the follies of his youth, became, in manhood, the accomplice and willing instrument of his crimes. The murder of the Duke of Gloucester will always be a foul stain on the memory of both, and the King's part in it has perhaps no parallel in royal history as an act of mean and cold-blooded treachery. The narrative of the arrest of his uncle, in July, 1397, we will relate in the words of Froissart (B. iv, c. 88):—"The King, under pretence of deer-hunting, went to a place he had at Havering-att-Bowe, in Essex. It is about

about twenty miles from London, and as many from Pleshy, where the Duke of Gloucester resided. The King set out one afternoon from Havering, without many attendants . . . . . and arrived at Pleshy about five o'clock . . . . . and he came so suddenly to the castle that no one knew of it until the porter cried out, "Here is the King." The Duke of Gloucester had already supped . . . . . He immediately went out to meet the King in the court of the castle, and paid him all the respect due to his sovereign, as did the Duchess and her children. The King entered the hall and the apartment, where the table was again laid out for the King, who ate some little; but he had before told the Duke, 'Good uncle, have your horses saddled—not all, but five or six—for you must accompany me to London, as I am to have a meeting to-morrow with the citizens, and we shall surely meet my uncles of Lancaster and York; but I shall advise with you what answer to make to the Londoners' demands. Tell your house steward to follow us with four servants to London, where they will find you.' The Duke, suspecting nothing evil intended against him, too easily consented, and the King, having soon supped, rose from table. Every thing being ready, the King took leave of the Duchess and her children, mounted his horse, and the Duke did the same, attended only by three squires and four varlets . . . . . They rode hard, for the King pretended impatience to get to London, and conversed all the way with the Duke of Gloucester. On their arrival at Stratford, near the Thames, where an ambuscade had been laid, the King galloped forwards, leaving his uncle behind; on which the Earl Marshal advanced to the rear of the Duke, with a large body of men, and said, 'I arrest you in the King's name.' The Duke was panic struck, for he saw he had been betrayed, and cried aloud after the King. I know not if the King heard him; but he did not turn back, galloping on faster than before, and followed by his attendants." Such is the account given by a writer friendly to Richard II. The Duke was hurried on board a vessel waiting in the Thames and conveyed by the Earl Marshal to Calais, of which he was governor, where his prisoner was kept for some weeks, and at length told it was the King's will that he should die; and by the express directions of the Earl Marshal, according to the confession of an eye witness, if not one of the actual perpetrators of the murder, as recorded on the parliament roll, he was put to death by suffocation between two featherbeds. An idea seems to have been at one time entertained of giving the murder the form of a judicial execution, by sending over to Calais Sir William Rickhill, a judge of the Common Pleas, to act under Mowbray's orders. He had a midnight interview with the Duke, and

and received what was called a confession ; but no mention was made of it when, on the 21st of September, the arrest was reported to parliament, and an order issued to the Earl Marshal to bring up his prisoner ; and a return was made, and accepted without enquiry, that he had died in custody of a fever.

THAT at the time of his arrest the Duke of Gloucester was entertaining treasonable designs, there can be no doubt, but there is room for a good deal as to the particular circumstances of the alleged conspiracy, and the persons engaged in it, Carte (ii, 621), not citing his authorities, but to some extent borne out by Fabyan (p. 542, ed. 1811), relates with great circumstantiality a treasonable meeting, held at Arundel on the 8th July, 1397, at which were present the Archbishop of Canterbury, the Abbot of St. Alban's, the Prior of Westminster, and the same five peers, who, ten years before, had been banded together in their proceedings against the King's favourites, and were then known as the five appellant lords, namely, the Duke of Gloucester, and the Earls of Arundel, Warwick, Derby, and Nottingham, all of whom agreed to seize the King and the Dukes of Lancaster and York, and keep them in perpetual imprisonment ; and bound themselves by mutual oaths, and received the sacrament thereon from the Archbishop ; but that plot was at once divulged to the King by the Earl of Nottingham. Admitting that he was capable of this double treachery, it is improbable that, in his known relations with the King, he should have been admitted to counsels of the conspirators, and equally improbable that he should have been acting with the Earl of Warwick, who is stated by Carte, four pages earlier, to have been drawn into the conspiracy, "incensed at the loss of the honour of Gower, recovered at this time by the Earl Marshal." Neither is it probable that the Earl of Derby should have been embarked in a conspiracy directed as much against his own father as the King : and in the parliamentary proceedings which ensued we do not find him treated as suspected, but, on the contrary, included in the honours conferred on the King's supporters.

THE Earls of Arundel and Warwick were invited to court and arrested with almost equal duplicity, and the ensuing parliament in September, which was as subservient to the King as that of 1387 had been to the Duke of Gloucester and his colleagues, impeached the Archbishop, revoked the pardons granted ten years previously, and attainted the Earls of Arundel and Warwick. The sentence of the latter was commuted to perpetual imprisonment and  
forfeiture

forfeiture of his estates; but the former was carried direct from the parliament house to Tower Hill, and there beheaded. The allegation that the Earl Marshal, who was his son in law, was present, and officiously took part in binding the victim's eyes, is denied by Carte, and we will hope that this act of barbarity is not to be laid to his charge.

THE King had wreaked his vengeance on his enemies, and it remained only to reward his friends. Foremost among these was the Earl Marshal. There was no particular reason for conferring any additional honours on his grandmother, unless at his instigation. So far as he was concerned, the grant to him of the Dukedom of Norfolk, in which the Earldom of Norfolk, if still subsisting, would eventually have merged, would have effected his object as completely as the course actually taken: for, her father having died in 1338, she must have been of an age precluding the possibility of the title of her heir presumptive being displaced by any other issue. However, what was done was the creation in parliament, on the 29th September, 1397, of Margaret, Countess of Norfolk (so styled in the Rolls of Parliament), as Duchess of Norfolk for life, and on the same day, the conferring of a separate Dukedom of Norfolk on the Earl of Nottingham, with limitation to him and his heirs male. On the same day the Earl of Derby, who had married one of the two daughters and coheiresses of Humphrey Bohun, last Earl of Hereford,<sup>1</sup> was created Duke of Hereford.

OF the five appellant lords, Gloucester had been murdered—Arundel executed with little more approach to the forms of law—Warwick attainted and in prison. The Dukes of Norfolk and Hereford remained in the full blaze of their sovereign's favour, and advanced to the highest dignity of the peerage. The mortal quarrel which broke out between them at the parliament held in the following January, when Hereford accused Norfolk of a treasonable conversation, in which he had declared his knowledge of the King's intention to destroy them both, as well as the Duke of Lancaster and other nobles named—the judicial combat commenced, but so abruptly broken off, at Coventry—the banishment of both combatants—and the whole chain of consequent events, resulting in the deposition and death of Richard II, are too familiar to need narrating here. The real merits of the quarrel will never be known.

Perhaps

<sup>1</sup> The other coheiress was married to the murdered Thomas of Woodstock, who, in her right, acquired Caldicot Castle.

Perhaps the most intelligible and consistent of the various views which have been entertained of it is that of Mr. Sharon Turner (*History of England*, ii, 237, ed. 1815):—"It was not improbable that the King, who had begun to dip his hands in blood, should have found—what all men find—that one crime makes others necessary, and should think the lives of other great and popular noblemen to be inconsistent with his safety, lessened as that was by the popular resentment for Gloucester's death. It was still less improbable that an agent, who had seen with what little remorse his master had destroyed a near relative, and now heard of similar deeds being in contemplation, should become disquieted about himself, endangered as he was by his personal knowledge of the King's guilt. That in this state of anxiety he should unboast it to a former confederate, and now connected friend, was not unnatural. He needed counsel and support, and by this disclosure he endeavoured to obtain them. The conduct of Henry, on receiving this information, is perfectly intelligible. His safety lay in publicly disclosing it. To announce the meditated projects was to defeat them. No King or counsellors would be afterwards so insane as to execute them. Hence, if the information was true, he saved his father's life, as well as his own, by disclosing it. If Norfolk had amused him by a false statement, it must have been done for some treacherous purpose, which would be best defeated by publicly disclosing it. He therefore mentioned to the King in parliament what he had been told. He affected to consider them as dishonest words, slanderously spoken: but he had committed them to writing, and he produced the memorial. By this step he certainly sacrificed the Duke of Norfolk: but what right had such a man, stained as he was, to expect confidence from another, or even secrecy, on a communication like this, which involved that other's life and his father's?" The views of the same writer on the abrupt termination of the combat, and the almost unaccountable step of banishing both parties, are equally clear:—"The King's conscience shrank from the issue of the impending battle. He best knew whether he had cherished the designs which Norfolk had intimated. If Henry conquered, the dying breath of Norfolk, in the confession that was always taken on the accusation if the beaten party survived, might, by confirming what he had spoken, have roused the endangered nobility and indignant people to a rebellion that would have driven him from his throne. To arrest the combat was to leave the dangerous question—as Henry had put it—a possible slander of Norfolk on the King; or—as Norfolk's denial made it—a possible invention of Henry. The banishment of both had the



the aspect of impartiality, and its public pretext was to prevent discord between their families." Patents were granted to both the banished Dukes, enabling them, in case any lands of inheritance should descend to them in their absence, for which they ought to do homage, to sue for and have livery thereof by their attorneys, and respiting their homage and fealty. The death of John of Gaunt, on the 3rd February, 1399, offered a temptation the King was unable to resist to appropriate the inheritance which thereupon devolved on the Duke of Hereford. For this purpose the obsequious committee which had usurped the functions of parliament was induced, not only to declare the patent to be against law, but to adjudge the King's chaplain, who had prepared it, to be guilty of high treason. Historians generally have had their attention too much directed to the case of Bolingbroke to give much heed to that of Mowbray: but Tyrrel (*Hist. of England*, iii, 991) says, "The King, by advice and consent of the said committee of parliament, revoked those letters patents, *as also the like made to the Duke of Norfolk.*"

His grandmother died on the 24th of March in the same year, and was buried, with her second husband, Lord Manny, at the Charterhouse. Her inheritance devolved by right on the Duke of Norfolk, who thus became, for the few remaining months of his life, the owner, though he can scarcely be said to have been the possessor of Strigul. Carte, whose history is unduly favourable to Richard II, says (*History of England*, ii, 631), "it is not pretended that the great estates which fell to her [grand]son by her decease were seized." Perhaps not, in the sense of being treated as forfeited; but unless he could obtain the indulgence granted to him by the patent, they would remain in the King's hands, in the ordinary course of law, until the heir could sue out livery, and personally do homage and fealty. At the court of claims held on the 4th October, 1399, preparatory to the coronation of Henry IV, Holinshed (iii, 2, ed. 1708) says, "John, Lord Latimer, although he was under age, for himself, and the Duke of Norfolk, notwithstanding that his possessions were in the King's hands, by his father's attorney, Sir Thomas Graie, Knight, obtained and had the office of Almoner for that day, by reason of certain lands which sometime belonged to the Lord William Beauchampe of Bedford," and at the same court, a claim having been made by the Earl of Northumberland to carry one of the swords, "Rafe, Earl of Westmorland, and Earl Marshal of England, by the King's grant, claimed the same office and obtained it, notwithstanding that the attorneys of the Duke of Norfolk presented to the  
Lord

Lord Steward their petition on the Duke's behalf, as Earl Marshal to exercise the same.

THE date of Mowbray's death is not quite certain. Shakespeare, in *Richard II* (act iv, sc. 1), makes the Bishop of Carlisle announce his death to Bolingbroke in parliament, before the forced abdication of Richard; but not only is this an anachronism, but the whole scene is contrary to the historical order of events. It is taken, with sufficient closeness, from the account in *Holinshed* (iii, 6, ed. 1808) of a stormy sitting of the first parliament after Henry's coronation, when the subject of the Duke of Gloucester's murder was freely canvassed, and John Hall, one of the persons actually present, if not one of the perpetrators, made his confession, and every body appealed every body else of treason, until forty gages of battle were lying on the floor. As the lords were not in armour, there were no gauntlets to throw down, and gloves had not yet become an ordinary part of civil costume. They therefore threw down their hoods; and Shakespeare is quite accurate in representing Aumerle, who had thrown down his hood in appealing Bagot, as borrowing another hood to appeal the absent Duke of Norfolk, whose testimony against Aumerle was vouched by Fitzwater:—

"Some honest Christian trust me with a gage  
That Norfolk lies"—

on which the chronicler relates that the gage was delivered to the Constable and Marshal of England, and the King licensed the Duke of Norfolk to return, that he might arraign his appeal. This was on Thursday, the 16th October, 1399; and again, on the 3rd November, on Fitzwater praying a day to arraign his own appeal against the Earl of Rutland, the King said he would send for the Duke of Norfolk to return home, and then, upon his return would proceed in that matter. It appears then that at this date Norfolk was still living, or at least not known in England to be dead. But *Holinshed* places his death in the same year, others in the following year, and *Froissart* (b. iv, ch. 121) says he was residing in Venice, when he first heard that Henry of Lancaster was King of England and King Richard dead, and took this news so grievously to heart that he fell sick, was put to bed, became frantic, and died. *Dugdale* gives the date as the Monday before the feast of St. Michael the Archangel, 1 Henry IV, which would be 27th September, 1400.

Hx

HE was twice married. His first wife (if such she can be considered), Elizabeth, daughter of John, Lord Strange of Blackmere, died in 1383, a child of nine years old, leaving him a widower of seventeen. His second, Elizabeth, daughter of Richard, and sister, and eventually coheirs, of Thomas, Fitzalan, Earls of Arundel, and widow of William de Montacute, survived him till 1424, and married successively Sir Robert Goushill and Sir Gerard Ufflete; but, as it does not appear that she held Strigul in dower, or indeed could have done so according to the precedent in the case of Anselm Marshal, we are not concerned with either of them. By her Mowbray had two sons, Thomas and John, and two daughters, Margaret and Isabel.

His eldest son, Thomas Mowbray, was only fourteen years of age at his father's death, so that he was not in a position to sue out livery of his lands. The stormy debate in parliament, alluded to above, resulted in a kind of compromise, all further proceedings against the late Duke of Gloucester's enemies being stayed, and the honours granted to them in Richard's last parliament revoked. The Dukes of Aumerle, Surrey, and Exeter, and the Marquis of Dorset were reduced to their former rank of Earls of Rutland, Kent, Huntingdon and Somerset, and the Earl of Gloucester to that of Baron Despenser. The Duke of Norfolk, being absent, was not included in the degradation of these peers, but his case was so identical with theirs, that it would have been sufficient to account for his heir not assuming the title of Duke of Norfolk. I know no reason (unless, as in the case of the last Earl of Pembroke, minority was then considered one) why he should not have assumed the title of Earl of Nottingham; but the fact is that he never did assume any other title than that derived from his office—which practically he never enjoyed—of Thomas, Earl Marshal. Perhaps this was looked upon as his highest title, except that of Duke of Norfolk; for in a patent cited at a previous page his father is styled "Earl Marshal and Nottingham," though the Earldom of Nottingham was the earlier creation, even if the patent granting the name and honour of Earl Marshal was considered as the creation of a separate peerage.

THIS nobleman was the Lord Mowbray of Shakespeare's *Henry IV*, pt. ii, which gives a tolerably accurate representation, according to the authority of Holinshed, of the part he took in the conspiracy of Richard Scrope, Archbishop of York, and its fatal result. In act iv, sc. i, Westmoreland remonstrates with Mowbray on the absence of any personal grievance:—

Were

Y

"Were you not restored

To all the Duke of Norfolk's feignories,

Your noble and right well remembered father's?"

There is no authority for this in Holinshed or in fact. So far as concerned the livery of his lands, he was not, even at this date, 29th May, 1405, of an age to demand it. Great careers began and ended at an earlier age in those days than now, and, though a principal in Scrope's conspiracy, he was only nineteen years old. As to the Marshalship, it had been originally granted to the Duke of Surrey, during the life of the banished Duke of Norfolk, and afterwards to the Earl of Westmoreland; but it does not appear whether, at this period, the latter was considered as holding it in his own right, or only as performing the duties of the office while the hereditary Earl Marshal was under age. The latter is the inference to be derived from a letter written by the King to his council on the very day previous to the arrest of Scrope and Mowbray, and printed in the preface to the *Liber de Antiquis Legibus* (p. cxliii), in which he speaks of the latter as the Earl Marshal:—"comment le Conte de Northumberland, le Conte Marischal, et le Sire de Bardolf, et autres de leur adherentz es parties del Northe, se font levez encontre nostre magesti roiale, et coment le dit Conte Marechal tient le champe avec toute le pouvoir qu'il a et puet lever &c." On the other hand, the Dramatist omits to mention another circumstance, related by Holinshed, which might well have been put into the mouth of Westmoreland to enforce his argument, namely, that in the previous year "Thomas Mowbray, Earl Marshal, had been accused as privy to the purpose of the Duke of York, touching the withdrawing of the Earl of March's children, who confessed indeed that he knew of the Duke's purpose, but yet in no wise gave his consent thereunto, and therefore besought the King to be good and gracious lord unto him for concealing the matter, and so he obtained pardon of that offence" (Holinshed, iii, 33, ed. 1808). Shakespeare's account of the treachery by which the arrest of the Archbishop and Earl Marshal was effected, the unsuspecting confidence of the old prelate over-ruling the more prudent counsel of the young Earl, is warranted by Holinshed's account, derived from Walsingham; but the former admits that other writers give a somewhat different version, and allege that the insurgent nobles surrendered on promise of pardon. This is by far the more probable account; for the terms submitted by the insurgents, as quoted by Carte (ii, 663), involved, among other demands, the restoration of the crown to the right line, which it is preposterous

preposterous to suppose the commander of the King's forces to have listened to. The breach of faith was much the same according to either version of the story. The prisoners were taken to the King at Pontefract, and thence with him to York, where the Archbishop was beheaded, on the 8th of June, on a sentence passed by a judge constituted for the purpose (Sir William Gascoigne refusing to try a spiritual peer), and the Earl Marshal suffered in the same manner, without any arraignment, trial, or defence, so much as in the court military. He married Constance, daughter of John Holland, Duke of Exeter, but had no issue by her.

On his death, his estates devolved on his brother John, who assumed the title of Earl of Nottingham and Earl Marshal, and eventually, but not for many years afterwards, that of Duke of Norfolk. We will, for distinction, call him the third Duke, treating his father as the first, and his brother as the second, or—according to Nicolas's *Historic Peerage*—arriving at the same result by omitting the one who never assumed the title, and numbering as first the Duchess of Norfolk, whose peerage might perhaps be more properly treated as a separate creation. Of this third Duke we hear nothing until, near the close of the reign of Henry IV, he healed for the time his family quarrel with the reigning house, by marrying Katherine, the daughter of that Ralph Neville, Earl of Westmoreland, by whom his brother had been so faithlessly betrayed, and of Joan, his wife, one of the legitimated children of John of Gaunt and Katherine Swinford. The grant of marriage is dated 20th July, 1411, and Mr. Wakeman says he came of age in 1413. May he not thus have been given in marriage during his minority as an arrangement for settling any pretensions to the Earl Marshalship on the part of the Earl of Westmoreland, and handing it in undisturbed enjoyment to the young Earl of Nottingham?

He accompanied Henry V, in his first expedition to France, with four knights, forty-five esquires, fifty men at arms, and one hundred and fifty mounted archers, as appears from the Sloane MS. 6400, printed in Sir Harris Nicolas's *History of the battle of Agincourt*. He was one of the commissioners for trial of the Earl of Cambridge, Lord Scrope of Masham, and Sir Thomas Grey: and, on the two former demanding to be tried by their peers, was one of the peers who sat on the irregular trial which condemned them. He had an important command at the siege of Harfleur, and as Earl Marshal received the keys of that city on its surrender. Whether his was one of

"the very casques  
That did affright the air at Agincourt"

is

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is a doubtful point. We fear he was not one of those present at the battle, though Sir Harris Nicolas, who is no mean authority, comes to the conclusion that he was. The authority of several writers is quoted, who name the Earl Marshal among those sent home from Harfleur with the sick and prisoners. If he only went in charge of them, there was time for his return to France in the fortnight which elapsed between the surrender of Harfleur and the commencement of the King's rash but gloriously successful march, by Agincourt to Calais: but Hall, whose authority is not quoted by Sir Harris Nicolas, after speaking of the sufferings of the army from dysentery, says (p. 63, ed. 1809) that the King licensed the Duke of Clarence, his brother, John, Earl Marshal, and John, Earl of Arundel, being infected with that disease, to return into England. Sir Harris Nicolas also prints a Roll of the names of the dukes, earls, barons, knights, esquires, serviteurs, and others present at the battle of Agincourt; but he does not refer to a variation worth notice in the terms in which the different leaders are referred to. The first names are "The Duke of Gloucester with his retynew" [followed by the list of names]. "These be the names of the retinu of the Earle of Marche, which was at the battle of Egyncourt"—"Therle of Huntingdon, with his retenu, that was at the battle of Egyncourt"—"These be the names of the retenu of the Erle Marshall, that was at the battell of Egyncourt with the King." The document is printed from the English original, Harl. MS. 782, collated with a French copy, MS. M 1 in the College of Arms, in which each of the above phrases "which was" and "that was," is rendered "qui furent," and the terms in which the retinue of the Earl Marshal are mentioned may mean, in his case, and in that of the Earl of March, that the retinue were present without their chiefs. The same author notices that Henry V selected the peers and eminent commanders who were at Agincourt to fill nearly every vacancy, not bestowed on sovereign princes, which occurred in the Order of the Garter during his reign; and in 1420, according to his statement, or in 1422, according to Heylin, John Mowbray, Earl Marshal, was so honoured. He was with the King in his second expedition to France, his retinue, according to the muster roll of 1417, preserved in the Chapter House, Westminster, and printed in the *Henrici Quinti Regis Angliæ Gesta* of the English Hist. Society, consisting of 6 knights, 102 lances, and 284 archers. The chronicle just referred to mentions him at the sieges of Rouen, in July, 1418, and of Frenay and Melun, in 1420, and the Chronicle of Normandy, printed in the same volume, mentions him among the retinue accompanying the King on his bringing home his bride to England.

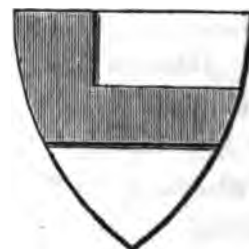
HITHERTO

HITHERTO we only find him named as Earl Marshal, or Earl of Nottingham. We have seen reasons why it would not have been prudent to parade the higher dignity of Duke of Norfolk, while its origin was fresh in the recollection of the parliament, which repealed other honours granted on the same occasion. But after the recollection of these events had been effaced by a generation of loyalty to the reigning house, there was less reason to abstain from putting it forward. Accordingly, in 3 Henry VI, he made his claim to be Duke of Norfolk to him and his heirs male, and Earl of Norfolk to him and his heirs general (Rot. Parl., quoted in a note to Nicolas's *Historic Peerage* by Courthope); and on the 17th July, 1424, his claim to the Dukedom, under the patent to his father, was allowed. Though this has been usually spoken of as a restoration, the patent had never been revoked—the banishment of his father had no effect on his estates or honours, beyond a personal disability—and the execution of his brother by martial law involved no attainder. The circumstances are fully stated in Vincent's *Discovery of Brooke's Errors* (p. 347). It seems that a question of precedence had arisen between the Earl Marshal and the Earl of Warwick, whereupon the former petitioned the King in parliament, setting forth that he and all his ancestors, as Earls of Norfolk, as well for the blood royal and arms royally [Qy. supply "augmented"] that he came from and bore, as for the said earldom, claimed place above his cousin of Warwick, and that the commonalty of the realm, summoned to that present parliament, did say that he should be born to be Duke of Norfolk, which, if so were, the said commonalty supposed should make final conclusion of the determination of his said place above his said cousin of Warwick. He then sets out the patents and pedigree, and prays a reference of his claims to parliament. The grounds on which his Dukedom was admitted were that, although the proceedings in the parliament of Richard II, in which the Dukedom was created, had been, in the parliament held 1 Henry IV, repealed and annulled in general terms, there was no special mention of this dignity, and that a general revocation did not extend to it, the creation of dignities being the act of the King and not of the parliament.

DURING the chequered warfare in France, in the years 1430 and 1431, the Duke of Norfolk must have had a command of some importance, for we read of him taking "Dammartine, Chasse-Mongaie, and divers other townes." He died on the 19th October, 1432, having had a narrow escape from the termination of his career four years earlier, by means which have caused the  
sacrifice

sacrifice of many a life—the upsetting of a boat, in the attempt to shoot the cataract pouring through Old London Bridge. The adventure is related in the Harl. MS. 565, fo. 87*b* (here quoted second hand from Brazley's *Londiniana*), which tells that the accident “was the cause of spylling many a gentil man and othere, the more ruthe was: but as God wolde, ye Duke himself and too or three othere gentyl men, seying that myschief, leped up on ye pyles, and so were saved through helpe of them that weren above ye brigge with castyng downe of ropes.”

HE left behind him his widow, Katherine, who, in addition to a provision made for her by her husband's will, had an assignment of dower, including the castle, manor, and borough of Strogail, in the Marches of Wales, and the manor of Tudenham, in the county of Gloucester (Dugdale's *Baronage*, i, 131). The dowager duchess, after surviving two other husbands, Sir Thomas Strangeways, and John Viscount Beaumont, entered into the bonds of matrimony for a fourth time, in January, 1465, when, as described by William of Wyrcester, she was “*juvencula fere iiiij<sup>xx</sup> annorum*,” by giving her hand, and let us hope what remained of her heart, to Sir John Widville, the Queen's brother, a young man of twenty, who is uncharitably supposed by the chronicler to have been attracted by her ample dower, exceeding the jointure of the Queen herself. The chronicler probably exaggerated a little the age of Sir John Widville's bride for she survived him, and was living in 1482, which would make her at that time ninety-seven according to his shewing. His phrase of “almost four-score years” would cover anything between that age and seventy, which would have been the age of her first husband, if he had been living. Each of these three after-taken husbands was, in her right, lord of Striguil; but their temporary possession of it does not render it necessary to do more than record the fact, and describe their respective arms. Those of Strangeways were Sable, two lions passant, in pale, paly of six Argent and Gules—those of Beaumont Azure, semée de lis and a lion rampant Or. Those of Widville, Argent a fess and canton Gules, we shall have to mention again, when, by another alliance, they became quartered with the arms of the family of Somersfet.



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ON the death of John, third Duke of Norfolk, his son, John, then aged about eighteen, succeeded him in his estates (subject to the widow's dower) and in his Dukedom and Earl Marshalship. This John, fourth Duke, obtained in 23 Henry VI (11 March, 1445) a patent, confirming to him the Dukedom of Norfolk, with precedence next after the Duke of Exeter. The necessity or occasion for this does not appear, except perhaps that the patent to the latter nobleman, in the January previous, with place next after the Duke of York, had created confusion in the order of precedence. The Duke of Norfolk seems to have been in good credit with the Regency during the early years of the reign of Henry VI; for we find him, in 1439, one of the ambassadors engaged in the abortive attempt at negotiating a peace with France (*Rym. Fœd.*, x, 728, quoted in *Rapin*). In 1450 he was installed Knight of the Garter. A more precise date would be desirable, with reference to the progress of public events, and especially in relation to Jack Cade's insurrection, which broke out in May of that year. Subversive of all law and government as were the proceedings of the rebels, and atrocious as were their excesses, when they obtained temporary control of the metropolis, their objects were not the wild communism, which our great dramatist, or the author of the play which bears his name, has made a byword.<sup>1</sup> On the contrary, their schedule of grievances, complained that "the lords of the King's royal blood were put from his daily presence, and other mean persons of lower nature exalted, and made chief of his privy council," and they demanded, among other things, "that the King will avoid all the false progeny and affinity of the Duke of Suffolk . . . . and take about his noble person the true lords of his royal blood of this his realm, that is to say the high and mighty prince, the Duke of York . . . and the mighty princes, the Dukes of Exeter, Buckingham, and Norfolk, and all the earls and barons of this land, and then shall he be the richest King Christian." It would be odd if it should turn out that the Duke of Norfolk was indebted for his Garter to the influence and recommendation of Jack Cade. In March, 1451, the Duke's son, John Mowbray, was created Earl of Warren and Surrey, the title being derived from the fact of the Mowbrays representing, through the wife of the first Duke of Norfolk, the line of the Fitzalans, Earls of Surrey. As he was still a minor, and incapable of sitting in parliament, this honour can only have been conferred to conciliate his father, who was closely allied with the

<sup>1</sup> It has been pointed out by Sir Francis Palgrave (*Courtenay's Commentaries on Shakespeare*, i, 303) that almost the very words which the Dramatist puts into the mouth of Jack Cade (2 Henry VI, act iv, sc, 2) are derived from *Holinshed* (ii, 737, ed. 1807), but in relation not to Jack Cade, but to Wat Tyler.

the Duke of York, at this time becoming formidable to the government, and accused, rightly or wrongly, of having been the instigator of Cade's insurrection. The Duke of Norfolk's descent, through his mother, from John of Gaunt might have led us to anticipate his adherence to the House of Lancaster; but one of her sisters had married the Duke of York himself, and her brother Richard Neville Earl of Salisbury, was his warm adherent, and the father of that Richard Neville, Earl of Warwick, whose career, during the Wars of the Roses, acquired him the title of the King-maker. Surrounded with these influences the Duke of Norfolk took his stand very decidedly with the White Rose. He was the Norfolk of Shakespeare's Henry VI, pt. iii, but there is nothing in that play which illustrates his character or history, or calls for particular notice, unless it be to observe that the Dramatist, if he had been acquainted with the pedigree of Norfolk, would scarcely have made him say, on the production of the head of the Duke of Somerset, "Such hope have all the line of John of Gaunt" (act i, sc. 1). He fought both in the first and second battles of St. Albans, but we do not find him specially mentioned in any of the other engagements preceding the establishment of Edward IV on the throne. He accompanied the new sovereign in his march northwards, immediately after his Proclamation, and was constituted Justice Itinerant of all the Forests South of Trent; but at the battle of Towton, on the 29th of March, 1461, he was compelled by sickness to resign the command of the van to Lord Fauconbridge. It was probably his last illness, for he died in the same year, and was buried at Thetford.

JOHN Mowbray, Earl of Warren and Surrey, his son, by his wife, Eleanor, daughter of William Bouchier, Earl of Ewe in Normandy, succeeded him as fifth Duke of Norfolk. He died in 1475, the last of the male line of his house, and on the failure of his issue (his only daughter, Anne, married at four years old to the ill-fated Prince, Richard, Duke of York, having died in infancy) his estates passed, by a descent traced through a daughter of Thomas Mowbray, first Duke of Norfolk, to the founder of the illustrious family of Howard, to whom the Dukedom of Norfolk was consequently granted, and in whose descendants, after many a forfeiture and restoration, it is still vested, and who still hold the dignity of Hereditary Earl Marshal of England. It will not be necessary for us to follow the career of this nobleman to its close, for we meet with nothing noteworthy respecting him previous to the year 1468, and in that year his castle and lordship of Striguil, the subject of our memoir, passed by exchange into other hands, by a transaction which we will proceed to trace in another chapter.

## CHAPTER VIII.

## FAMILIES OF HERBERT AND TUDOR.



**T**HE Earldom of Pembroke, which had become extinct in the person of John Hastings, third earl of his family, had subsequently been twice re-created, and had twice again become extinct, in the persons of Humphrey, Duke of Gloucester, and William de la Pole, and in 1453 it had been granted by Henry VI to his half brother, Jasper Tudor, or Jasper of Hatfield, the younger of the two sons of Katherine of France, widow of Henry V., by her ill advised marriage with Owen Tudor. The elder son, Edmond, was at the same time created Earl of Richmond, but died three years afterwards, leaving an infant son, destined to found the royal house of Tudor. On the breaking out of the War of the Roses Jasper was a trusted and active supporter of Queen Margaret. After her victory at Wakefield she divided her forces, marching in person towards London, to encounter the Earl of Warwick, and sending the smaller division to the west, under the command of Jasper, Earl of Pembroke, to oppose the forces of Edward, who by the death of his father at the battle of Wakefield had become Duke of York. The defeat of the Lancastrian army at Mortimer's Cross, on the 2nd February, 1461, rendering useless the Queen's victory at St. Albans a fortnight later, may be considered as the proximate event which set Edward on the throne. Among the ablest and most trusted leaders of his forces, on this and other occasions, was Sir William Herbert, who was summoned to Edward's first council, within a week after his accession, and to parliament, on the 26th July, 1461, as Lord Herbert of Herbert (Nicolas's Historic Peerage, by Courthope). The only

only facts in his pedigree which have never been disputed are that he was the eldest son of Sir William ap Thomas of Raglan, by his second wife, Gwladys, daughter of Sir David Gam, one of the three brave captains said to have been knighted, after receiving mortal wounds, on the field of Agincourt, another of them being his son in law, Sir Roger Vaughan, the first husband of Gwladys. A pedigree has been preserved, and is printed in the Appendix to Coxe's Monmouthshire, said to have been traced by four bards, chieftest men of skill within the Province of South Wales, at the command of Edward IV, by whose wish Sir William is alleged to have assumed the name of Herbert, discontinuing the Welsh system of changing the surname at each descent. In this pedigree the Welsh heralds deduce an illustrious descent from a natural son of Henry I, but the document has never met with acceptance, and, the origin of the family having been thoroughly examined by Mr. Hawkins and Mr. Wakeman, and discussed by Mr. Octavius Morgan, in his Memoir on the Abergavenny Monuments, we may state shortly on their authority that Sir William ap Thomas was the founder of his own fortunes, being Steward of the Lordships of Usk, Caerleon, &c., under Richard Duke of York, and high in his confidence and that of his son, Edward, afterwards Edward IV, and in that situation acquired extensive estates, of which Raglan and Gower were part, and was succeeded in his office, and in the confidence of the house of York, by his son, William. Hall's Chronicle speaks of the latter as one who, of a mean gentleman, was promoted to the estate of an earl. He was throughout the brave and trustworthy adherent of Edward IV, one of whose first acts, on attaining to the throne, must have been to appoint him Lord Chamberlayne, unless the author of a poem, printed in Wright's Political Songs and Poems, published under the direction of the Master of the Rolls (ii, 280), in describing the King's entry into London, has antedated Sir William Herbert's acquisition of that office, as he certainly has that of his earldom of Pembroke :—

"In the Kynges forwarde the prynce did ride,  
 Withe nobill lordes of grett renowne;  
 The Erle of Pembroke the lorde chamberlayne be his side;  
 Many other Knyghtes and yomen of the crowne.

\* \* \* \* \*

The lorde chamberlayne, that gentill Knygte,  
 Whiche failid his mayster nother in storme ne stoure;  
 Off goodly men he had a faire fyghte,  
 Wiche rode afore the Kynge to his honoure."

ON

ON the 4th November, 1461, a parliament was held, at which Henry VI and his Queen, and son, Jasper, Earl of Pembroke, and many others were attainted. Mr. Morgan, speaking of the same parliament, says, "Sir John Skidmore of Herefordshire and divers other persons were attainted, and their lands forfeited to the crown, and on that same day Sir William Herbert was created Baron Herbert of Chepstow, Raglan, and Gower, and shortly after his creation he had a grant by patent of the castle and lordship of Pembroke and several other manors in tail general, and among them the lordship of Magor, Redwick, and the castle and lordship of Caldicot, in the Marches of Wales; also the castle of Goderich, and lordship of Urkenfield, in co. Hereford, late the estate of James, Earl of Wiltshire, attainted. . . . . In 1462 he was elected Knight of the Garter, and in 1463 he was appointed by patent Chief Justice of North Wales for life, and had a grant of the castle and lordship of Dunster and Mynehede, late the possessions of James Lutterel, attainted."<sup>1</sup> The slight discrepancy as to the date of his creation as Lord Herbert is explainable. He was not created in, but summoned to, parliament, the authority of Dugdale to the contrary notwithstanding; and the earlier of the above dates may have been that of the writ: for the day of meeting of the parliament was changed from that originally appointed, in consequence of military emergencies. But Mr. Morgan has made a much more serious slip in calling him Lord Herbert of Chepstow, Raglan, and Gower, a title first created, as we shall see, forty-five years later, and Chepstow being at this time, as we have seen already, the property of the Duke of Norfolk, a loyal adherent to the House of York. In Sandford's Genealogical History (p. 292) it is stated that "after that King Edward IV had forced King Henry VI out of his kingdom, this Jasper was attainted, and William, Lord Herbert, created Earl of Pembroke in his room, A<sup>o</sup> 1462, which honour, his patent mentions, was granted him in consideration of his expelling Jasper the rebel." This again is a mistake, anticipating the grant of the

<sup>1</sup> Mr. Maxwell Lyte, in his Memoir on "Dunster and its Lords" (Archæological Journal, vol. xxxvij, p. 178), says that the King anticipated the decree of the attainder of James Luttrell, for that the accounts of the receipts and expenses of his bailiff at Dunster, now remaining there (Dunster Muniments, Box i, No. 27), begin as early as 16th March, 1461, twelve days only after the accession of the House of York. The castle and lands of Dunster being held in capite would, however, as a matter of course, upon the death of James Luttrell, who died five days after the second battle of St. Albans, from wounds there received, be taken into the King's hands. Mr. Lyte adds that the grant to William Herbert, Earl of Pembroke, was made in June, 1463. The castle and lands were restored to the Luttrell family twenty-four years afterwards upon the accession of Henry VII.—Ed.

the Earldom of Pembroke by six years. The patent intended to be referred to is that containing the grant of the *Castle and Lordship* of Pembroke. The grant to Lord Herbert of the *Earldom* of Pembroke, was, according to Mr. Morgan, 27th May, and, according to Sir Harris Nicolas (who in his descent of the Earldom of Pembroke, though not elsewhere, falls into the error of calling him Baron Herbert of Chepstow), 8th September, 1468. The immediate service of which it was the reward was evidently the capture of the castle of Harlech, which surrendered on the 14th April, 1468, having held out till that time under Dafydd ap Jenkin ap Einion, a stout supporter of the House of Lancaster. Lord Herbert had invested the hitherto impregnable fortress, after a march of almost incredible difficulty through the mountain passes, by a route which, Camden says, retained to his day the name of *The Herbert*, his army making their way by scaling the rocks and throwing themselves from crag to crag. The final operations of the siege were left to his heroic brother, Sir Richard Herbert, of Coldbrook, who, having pledged himself to use his best efforts to save the life of his brave captive, Dafydd, offered his own to the obdurate King, as a last proof of his readiness to redeem his pledge, or, as an alternative, threatened to replace Dafydd in his castle, and let the King send whom he pleased to take him out again. His intercession prevailed at length, but, as his descendant, Edward, Lord Herbert of Cherbury, complains he received no other reward for his service. In fact the Earldom of Pembroke, the reward for the service, was properly bestowed on his brother, who had not only the chief command, but had overcome the principal difficulties of the operation.

In the same year, and probably as part of the arrangements connected with the grant of the Earldom, was the exchange made with the Duke of Norfolk of certain lands in Norfolk and Suffolk, which had been acquired by the Earl of Pembroke, for the castle and manor of Chepstow and manor of Todenham: for it is stated by Mr. Wakeman, in his paper on Chepstow, that as this exchange was made at the request of the King, he granted to the Duke the same extensive rights and privileges in the manors he received as those he had enjoyed at Chepstow. The exchange was ratified by Royal Charter (Rot. Chart. 8 Edward IV., referred to in a note to Orm. Strig., p. 92). It must have been a desirable arrangement for both parties. The Mowbrays had the bulk of their estates, as well as their titles of nobility, in the northern and eastern counties, to the latter of which the exchanged manors probably  
formed

formed a desirable addition, while Chepstow and Tidenham were never anything more to them than distant outlying estates. From first to last we have not met with an incident connecting their local history with the personal history of the Mowbray family, nor does any member of it appear to have left a memorial of his interest in the neighbourhood, by entitling himself to be commemorated among the benefactors to Tintern Abbey. In the hands of William Herbert, the possession of these estates united once more the title of Earl of Pembroke with the ownership of the castle of the Strongbows and Marshals, though it finally divorced them from the hereditary Earl Marshalship, which has to this day descended with the Dukedom of Norfolk.

It is probable that during William Herbert's ownership of Chepstow, and, if so, no doubt by the aid of his liberality, a commencement was made of the building of stone cloisters to Tintern Abbey, the wooden cloisters usually constructed during the severer rule of the early Cistercians being unsuited to the more magnificent ideas of the age at which our memoir has now arrived. There are remains of Perpendicular architecture at the south east angle. If the work was commenced at the instance of the Earl of Pembroke, his untimely death will account for no greater progress having been made than is indicated by the remains just noticed. His will contained a bequest of a hundred tons of \* \* \*, to be given to the cloyster of Tintern. There is a blank for the material in the will, as printed, from the *Testamenta Vetusta*, in Mr. Morgan's *Abergavenny Monuments*, from which it is here quoted secondhand, but there can be no difficulty with supplying the blank with "lead."<sup>1</sup>

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<sup>1</sup> We do not think it is quite so easy to fill the blank with "lead." The quantity, 100 tons, is enormous, and lead at this period would probably be described by the "fother," a weight equal to about nineteen hundred-weight instead of by the ton. Thirty tons of lead would cover the whole cloister roof, reckoning fifteen pounds to the foot, which is double the weight now used, and seventy-five tons would cover the entire area of the cloister. Mr. Blafhill in his monograph on Tintern Abbey (*Trans. Bristol and Gloucestershire Archæological Society*, vol. vi, p. 100) has filled the blank with "stone," and says that traces of this late work still exist between the door of the Church along the eastern side of the cloister garth as far as the Chapter House. The bequest was more probably stone than lead; perhaps it was "timber." In 1230 the King granted 100 oaks from the Forest of Dene to the Abbot of Gloucester for the work of his Church at Gloucester. This, we imagine, would be at least five times the quantity mentioned if timber, but the work at the cloister would be very small in proportion to that of the Abbey Church at Gloucester.—ED.

THE subject of our notice is the Earl of Pembroke of Shakespeare's Henry the Sixth, Part III; but it is a singular circumstance that, though included in the Dramatis Personæ, and introduced in Act IV, sc. 1, to receive orders for the levy of troops, he is not made to utter a single word. Commentators have not noticed the circumstance, though remarking that in the First Folio the very position of the nine persons on the stage is indicated.<sup>1</sup> On the Shakespearian stage he would be a character of rather less importance than the Cock in Hamlet. On the modern one, if we could suppose the play to be put upon the boards, he would contribute to the pageantry of the scene in a jupon, or tabard, emblazoned, Party per pale Azure and Gules, three lions rampant Argent. Mr. Morgan (Abergavenny Mon., p. 48) says, "he seems to have borne the old Herbert arms, Per pale Azure and Gules, three lions rampant Or, as Churchyard and Gough describe them: the lions have since been changed to Argent." Gough, as quoted by Mr. Morgan (p. 45), does indeed so describe them: but Churchyard, referred to in the same page, and quoted at length at p. 16, says, "His arms three ramping lions *white*." I prefer therefore adhering to his authority, as the earliest describer of the monument, rather than that of Gough, who wrote from a description dating sixty years later, even assuming that he copied correctly from the manuscript in his possession. Vincent, in his Discovery of Brooke's Errors, also gives the lions Argent.

WHATEVER

<sup>1</sup> The earliest form in which we have this play, which is still included in the works of Shakespeare, rather to preserve the continuity of the historical series than from a conviction, on the part of his modern editors, that it is to any great extent the work of his hand, is in the unique copy in the Bodleian, bearing the date of 1595, a reprint of which was edited by Mr. Halliwell-Phillipps for the Shakespeare Society. It is entitled, "The true tragedie of Richard, Duke of Yorke, and the death of good king Henrie the Sixt, with the whole contention betweene the two houses Lancaster and Yorke, as it was fundrie times acted by the Right Honourable the Earle of Pembroke his servants." In this old play the same peculiarity appears in the treatment of the character of Pembroke. The Earl of Pembroke mentioned in its title page was Henry Herbert, who was the grandson of Richard Herbert, of Ewias (an illegitimate son of the first William Herbert, the subject of our notice) and was the second Earl of a new creation, dating from 1551, and the father of Shakespeare's friend and patron, William Herbert. One would have expected to find that his own company of players, in producing his great ancestor on the stage, had gladly availed themselves of the opportunity of putting him in a prominent position, and paying him compliments, which would have been well understood as indirectly applicable to their patron himself. Is it not probable that they did so, and that something originally forming part of the play has been struck out, either as too flattering to please the Earl's good taste, or as containing political allusions which could not be allowed?



WHATEVER differences there may be in the views of historians as to the causes and date of the King-maker's first change of feeling towards the sovereign whom he had placed upon the throne—differences which it is not our business to reconcile—there can be no question that they had their origin, mediately or immediately, in the King's imprudent marriage, and the aggrandizement of the Queen's relations by matrimonial alliances and public offices, to the disgust of the ancient nobility. The marriage of Sir John Widville to the aged Duchess of Norfolk was one of these transactions. The Earl of Pembroke, who owed his own nobility to the reigning sovereign, had no such ground of offence, and from first to last we find him an unswerving adherent of the court party. Among the notes to Warkworth's Chronicle, published by the Camden Society, is a document, which, if genuine, is of great historical importance, from a MS. roll in the Ashmolean Museum (No. 1160, m. 2 dorso.), being a circular inviting attendance in force at a meeting for the ostensible object of petitioning the King for a redress of grievances. It is expressed to be under the signet and sign manual of the Duke of Clarence, the Archbishop of York, and the Earl of Warwick, and it is a significant fact that it bears date the very day after Clarence's marriage with the Earl's daughter. The articles annexed to the circular, setting forth the grievances complained of, are unnecessary, or at all events too lengthy, for our purpose, but the circular itself is as follows:—"Right trusty and welbeloved we grete you welle. And welle ye witte that the Kyng oure soveregne lordys true subgettes, of diverse parties of this his realms of Engeland, have delivered to us certayn billis of Articles whiche we suppose that ye have in thoos parties, rememberynge in the same the disceyvabille covetous rule and gydyng of certayne ceducious persones; that is to say, the Lord Ryvers, the Duchesse of Bedford, his wyf, Ser William Herbert, Erle of Pembroke, Humfrey Stafford, Erle of Devonshire, the Lordis Scalis and Audeley, Ser John Wydeville, and his brethren, Ser John Fogge, and other of theyre myschevous rule, opinion, and assent, wheche have caused oure seid sovereyn Lord and his seid realme to falle in grete poverté of myserie, disturbyng the mynystracion of the lawes, only entyndyng to thair owen promocion and enrichyng. The seide trewe subgettis with pitevous lamentacion callyng upon us and other lordes to be meanes to oure seid sovereyne Lord for a remedy and reformacion; werfore we, thenkyng the peticioun comprised in the seid articles resonabyll and profitable for the honoure and profite of oure seid sovereyn Lord and the comune welle of alle this his realme, fully purposed with other lordis to shewe the same to his  
good

good grace, desiryng and pray you to dispoſe and arredie you to accompaneye us thedir with as many perſones defenfabyly arrayede as y can make, lettyng you wete that by Goddis grace we entende to be at Caunterbury uppon Sonday next comyng. Wretyn undre oure ſignettis and ſigne manuell the xiith day of Juyll, Ao 1469."

If this document be genuine, it diſpoſes of the view of Carte, who ignores altogether the negociations for the King's marriage with the Lady Bona, treats the infurrection under Robin of Riddeſdale as a riſing for the real object of redreſſing local grievances, and ſuppoſes Warwick to have remained loyal to Edward IV until the following year. But there are ſeveral ſuſpicious circumſtances connected with this invitation to an armed meeting. There is no mention in hiſtory of its either having been acted upon, or diſcovered and denounced as an act of treaſon. On the contrary Warwick filled for ſome time afterwards important offices under the crown. Hiſtorians are agreed that the marriage of Clarence with Warwick's daughter took place at Calais, on the 11th of July: and the date of this document on the following day, which was a Wedneſday, does not ſtate where it purports to have been ſigned. It is not likely that its authors had already arrived in England, and if it was ſent over from Calais, the notice was too ſhort to allow for the chance of contrary winds, and afford time to circulate it, and enable the receivers to prepare for a meeting "defenfably arrayed" on the following Sunday. At all events, whether genuine or otherwiſe, it is valuable as a probably contemporary document, for the purpoſe for which it is here quoted, as ſhewing that the Earl of Pembroke was, in the opinion of the writer, one of the "ceducious perſons," whoſe poſition in their ſovereign's counſels led to the temporary loſs of his throne.

THE ſcale of the expedition ſent againſt the Yorkſhire inſurgents indicates that it was ſomething more than a local riſing, and we may ſafely conclude that it was from the firſt contrived, as it was notoriously eventually directed, in the Lancaſtrian intereſt. A force was ſent againſt it of 14000<sup>1</sup> men under the command of the Earl of Pembroke, and 7000 archers under the command of  
Humphrey

<sup>1</sup> The numbers are taken from Warkworth's Chronicle, on the aſſumption that xliij ſhould be read xliij: but they are very variouſly ſtated by other authors, the force aſſigned to the Earl of Pembroke's command ranging from 6000 to 18000, and that to Stafford's from 800 to 7000. See Hall, Holinſhed, Stow, Carte, Rapin, &c.

Humphrey Stafford, Lord Stafford of Southwicke, who on the 17th of May previous had been created, or at least nominated, Earl of Devon. It is this commission which was commemorated in Shakespeare's scene. The two forces effected a junction on the Cotswolds, and marched northwards. After several skirmishes, in one of which a reconnoitering party, led by Lord Stafford and Sir Richard Herbert, was defeated, and in another, Sir Henry Neville, one of the leaders of the Lancastrian party, was taken prisoner, and killed in cold blood, the two armies met on the 26th of July, 1469, at Danesmore, near Edgecot, about three miles from Banbury. In this town Pembroke's forces had been quartered the night before : but Lord Stafford, on a paltry squabble about quarters, had marched off with his archers, and was not present at the battle. This unwarrantable step met with condign punishment, for on the King's proclamation he was seized in Somersetshire, and beheaded without form of trial. His defection had fatal results on the battle of Danesmore, in which victory for some time inclined in favour of the royal forces, Sir Richard Herbert performing unheard of feats of prowess, passing and repassing twice unhurt through the enemy's ranks with his pole-axe. But, as Hall relates (p. 274, ed. 1809), "when the Welshmen were at the very point to have obtained the victory, the northern men being in a manner discomfited, John Clappam, Esq., servant to the Earl of Warwick, mounted up the side of the east hill, accompanied only with 500 men, gathered of all the rascal of the town of Northampton and other villages about, having borne before them the standard of the Earl, with the white bear, crying, 'A Warwick! A Warwick!' The Welshmen, thinking that the Earl of Warwick had come upon them with all his puissance, suddenly, as men amazed, fled." That Warwick should have been a name of terror to the King's army is contrary to the theory that he was supposed to be still a loyal adherent to the throne. The Earl of Pembroke and Sir Richard Herbert, his brother, were taken prisoners, and conveyed to Banbury, where, on the following day, they were both beheaded in the Church porch. "Much lamentation," says Hall, "and no less entreaty was made to save the life of Sir Richard Herbert, both for his goodly personage, which excelled all men there, and also for the noble chivalry that he had shewed in the field the day of the battle, insomuch that his brother, the Earl, when he should lay down his head on the block to suffer, said to Sir John Conyers and Clappam, 'Masters, let me die, for I am old ; but save my brother, which is young, lusty, and hardy, mete and apt to serve the greatest prince of Christendom.' But Sir John Conyers and Clappam, remembering the death of the young knight,  
Sir

Sir Henry Neville, cousin to the Earl of Warwick, could not hear on that side, but caused the Earl and his brother, with divers other gentlemen, to the number of ten, to be there beheaded." The other executions were at Northampton, and included the Queen's father, Richard Widville, Earl Rivers, and her brother, Sir John Widville, whose love match with the Duchess of Norfolk brought his name into connection with our memoir in a previous chapter. The execution of the Earl of Pembroke is commemorated in Wordsworth's *White Doe of Rylstone*, canto 1 :—

"Pafs, pafs who will yon chantry door ;  
And through the chink in the fractured floor  
Look down, and fee a grieved fight—  
A vault where the bodies are buried upright !  
There, face to face, and hand by hand,  
The Claphams and Mauleverers stand ;  
And, in his place, among fon and fire,  
Is John de Clapham, that fierce efquire,  
A valiant man, and a name of dread,  
In the ruthlefs wars of the White and Red ;  
Who dragged Earl Pembroke from Banbury Church,  
And fmote off his head on the ftones of the porch."

This would feem to imply that the Earl had taken fanctuary, or was taken out of the cuftody of others by Clapham ; but there is no authority for any fuch incident.

CARTE ftates that the execution was on the very day of the battle, and fays it is fo ftated in the Inquifition taken on the Earl's death ; but his will, preferved in the *Testamenta Vetufta*, from which it is quoted in Mr. Morgan's *Memoir on the Abergavenny Monuments*, and alfo printed by Dugdale (*Baronage*, ii, 257), is dated on the 27th July. It directs his burial in the priory of Burgavenny, gives various bequefts to pious ufes, including that to Tintern Abbey, mentioned at a previous page, and repeatedly and affectionately urges his wife to remember her promife to take the order of widowhood, that fhe might be the better mafter of her own, to perform his will, and to help his children. Notwithstanding his directions, he is believed to have been buried at Tintern. He married Anne, daughter of Sir Walter Devereux, and fifter of Walter, Lord Ferrers, of Chartley, by whom he had a numerous family. We accept Mr. Morgan's authority for the ftatement that  
this

this lady was his widow ; but it is not quite undisputed. He had a son known as Sir Richard Herbert of Ewias, the ancestor of the Earls of Pembroke of the present creation, who was either illegitimate or the issue of a second marriage with Maud, daughter and heiress of Adam ap Howel Graunt. There is little doubt that the former is the case ; for the new Earls of Pembroke, for several generations, bore the Herbert arms with a bordure compony Or and Gules bezanty.

HE was succeeded by his eldest son William Herbert, second Earl of Pembroke of that creation, who had married the Queen's sister, Lady Mary Widville—one of the numerous matrimonial alliances by which that family was provided for immediately after the King's avowal of his own marriage. The descendants of William Herbert claim through this marriage a legitimate consanguinity with the Royal Family ; for the present Duke of Beaufort is fifteenth in lineal descent from Richard Widville Earl Rivers, from whom Her Majesty is fourteenth in descent through the Queen of Edward IV. They are therefore related in the degree of thirteenth cousins once removed. It is a curious coincidence that they are related in precisely the same degree by a common descent from Richard Duke of York, which will be traced when we come to speak of the marriage of Edward, fourth Earl of Worcester, with a daughter of Francis Hastings, Earl of Huntingdon. It may admit of a doubt whether the grant of the lordship of Dunster was not made to the younger William Herbert, on the occasion of his marriage, and not to his father, as stated by Mr. Morgan, in a passage quoted at a previous page.<sup>1</sup> Collinson's *Somerfet* (ii, 11) corroborates the latter statement, but Carte (ii, 772) says, " Mary, another of the Queen's sisters, was married to William, the eldest son of the Lord Herbert, who was thereupon made Lord of Dunstar, and afterwards Earl of Huntingdon ; and his sister Margaret was disposed of to Thomas Talbot, the young Viscount L'Isle. These honours and alliances, given and contracted within the space of six months, in favour of a family that

<sup>1</sup> It would appear from Mr. Maxwell Lyte's *Memoir of "Dunster and its Lords,"* *Archæological Journal*, xxxvii, p. 179, that the grant was to the elder William Herbert, Earl of Pembroke, for he says: "the Earl of Pembroke was beheaded by the Lancastrians in 1469, and in 1472, the King committed the custody of Dunster, and of other estates just mentioned, to Ann, Countess of Pembroke, during the minority of her son," citing *Inq.*, p. m., 9 and 10 Edward IV., No. 21, and *Pat. Roll*, 12 Edward IV., Part 2, m. 23 ; and he goes on to say: "In 1475 the young Earl obtained quiet possession of all his lands, and the cause of the Luttrells seemed hopeless indeed," citing *Pat. Roll*, 15 Edward, 14 Part, 3 m. 7.—ED.

that had scarce made any figure before, rendered the Widvilles generally odious." In spite of strict grammatical construction, the "who" in this passage must be referred to William, the son, as is evident from the mention of him as Earl of Huntingdon. Dugdale's statement (*Baronage*, ii, 257), that he was nine years old on the 5th of March preceding his father's death, cannot be correct. It must surely have been a misprint for nineteen, or some other age. That this must have been the case is shewn by various facts. One would be sufficient, namely that five years later, as stated by Dugdale in the following page, namely in 14th Edward IV, he was retained to serve the King in his wars of France and Normandy for one whole year, with forty men at arms and two hundred archers. Dugdale's statement would make him only four years and a half old at the date of the King's acknowledgment of his Queen, at which age, or within six months afterwards, the so called marriage of the Earl of Pembroke's son could only have been a betrothal; but there seems to be no sufficient reason for doubting that he was of marriageable age, and that the marriage was complete.

He did not long remain in undisturbed possession of his estates and honours. In the spring following his accession to the title, Warwick was in open alliance with Queen Margaret, and in October the sceptre was again placed in the helpless grasp of Henry VI. At a parliament, held on the 26th November, 1470, Edward was declared an usurper and traitor—all statutes made under his authority were repealed—his adherents were attainted—and various noblemen, including Jasper, Earl of Pembroke, were restored, as well in blood, as to their estates and dignities. Striguil had never been his, nor, so far as I am aware, the Norfolk and Suffolk estates for which it had been exchanged. But those were not the times for any nice investigation of titles, and to reinstate them in the same position in which they stood before those long years of havoc would have been an utter impossibility. We might therefore reasonably expect to find Jasper Tudor put into possession of all the estates of William Herbert, and there are some slight traces of his having held Chepstow among the rest. Polydore Vergil, according to the old translation published by the Camden Society, says that "Jasper, Earl of Pembroke, returned into Wales to his Earldom, where he found Henry, son to his brother Edmund, Earl of Richmond, not fully ten years old, kept as prisoner, but honourably brought up with the wife of William Herbert, who had been by King Edward created Earl of Pembroke, and after, taken in battle, was, by commandment of the Earl of  
Warwick

Warwick, beheaded . . . . . And so Jasper took the boy, Henry, from the wife of the Lord Herbert,<sup>1</sup> and brought him with himself a little after, when he came to London, unto King Henry." Holinshed, and later writers who have followed or appropriated this passage, speak of his finding the young Earl of Richmond in the custody of Lady Herbert at Pembroke Castle. It may have been so, but there is nothing in the statement of Polydore Vergil to indicate that castle, rather than Chepstow, Raglan, Caldicot,<sup>2</sup> or any other place likely to have been the residence of William Herbert's widow. The words of the original (p. 522, ed. Basil, 1570) are "*reversus est in Vualliam ad comitatum suum*," and, to remove all doubt as to the sense in which he used the word, he concludes his history with an apology for the use of words, the signification of which had changed in long usage, "*cujusmodi sunt Dux et Comes, olim officii tantum, at summæ nunc dignitatis vocabula item Comitatus pro Regione*," &c.—so that the phrase really implies nothing more than it does in a modern speech from the Throne, when Her Majesty's Lords and Commons are dismissed "to their respective counties" at the end of the session of parliament.

BUT we shall meet with more distinct mention of Chepstow presently, in connection with Jasper Tudor. A few short months, and Edward was again on the throne. The battle of Barnet had been fought, and Queen Margaret landed at Weymouth, on the 14th of April 1471, to find her husband's cause almost hopeless. The object of her march to Tewkesbury was to effect a junction with the forces of Jasper Tudor, who was on the right bank of the Severn; and it was to the precipitation of the Duke of Somerset, in engaging the Yorkist forces before that junction was effected, that the disastrous result of her march was owing. "Howbeit," says Polydore Vergil, quoted again from the old translation, "Jasper, Earl of Pembroke, when he understood that the Queen was vanquished in a foughten field at Tewkesbury, and that matters were past all hope of recovery, retired with his retinue, which he was conducting to his confederates, back again to Chepstow. While he here tarried

<sup>1</sup> So called here because, the Lancastrian party being now in the ascendant, his title of Earl of Pembroke could not be recognised consistently with the rights of Jasper Tudor; but even the title of Lord Herbert was of Yorkist creation.

<sup>2</sup> This castle is specially mentioned, as Mr. Wakeman, in his Notes on Caldicot Castle, notices, and refutes a statement "in some recent publications" of Henry VII having been born here. The fact, if it be one, of his being brought up here by Lady Herbert may have given rise to the notion.

tarried, lamenting how that headiness, which always is blind and improvident, had utterly overthrown the universal power of King Henry, and deliberating with his friends what course was best to take, behold, one Roger Vaughan, a very valiant man, sent thither by King Edward for that purpose, went about by a train to take him, whereof the Earl being advertized, took the said Roger within the town and cut off his head, and so he suffered death at the Earl's appointment, which himself essayed by guile to have brought the Earl unto. . . . . The Earl departed from thence to Pembroke, whom, incontinent, Morgan Thomas, sent by King Edward, besieged and kept in with ditch and trench, that he might not escape, but the eighth day following he was delivered from that distress by David, brother to the said Morgan, his assured faithful friend, and departed forthwith to a town by the sea, called Tenby, where, having a bark prepared out of hand, he sailed into France, with his brother's son, Henry, Earl of Richmond, and certain other his friends and servants." It is possible that the selection of Chepstow as a strategic point may have been unconnected with any rights of ownership; but as the narrative of his stay there, after all resistance in the field was at an end, and his being able even then to inflict summary punishment in Chepstow on the person sent to arrest him, seems to indicate it as his residence and the seat of his power, we may venture to number him among the Lords of Striguil. We shall not again have occasion to mention him, for, although, when the battle of Bosworth had placed his nephew on the throne, Jasper was, along with the higher dignity of the Dukedom of Bedford, restored to the Earldom of Pembroke, it had in the meantime, as we shall see, been once more and finally separated from the fortunes of Striguil Castle. We will, therefore, in parting with him, notice that his arms were, Quarterly, France and England, a bordure Azure charged with eight martlets Or.

OF course the restoration of Edward's power brought with it the reinstatement of William Herbert in his estates and Earldom of Pembroke, but he shortly afterwards parted with the latter dignity, by an extraordinary and irregular transaction with the King, which has been the subject of a good deal of discussion as a case in peerage law. Edward IV, whose descent through the Mortimers caused him to take a special interest in Wales and the Marches, seems to have formed a project for dignifying the title of the Prince of Wales with at least the show of authority, by placing him in the nominal administration of the government of that part of the kingdom, supported by a president and council,  
in



in whom some real administrative powers were vested, and holding a sort of vice-regal court at Ludlow Castle. The existence of the palatinate jurisdiction attached to the Earldom of Pembroke rather clashed with this scheme, while its annexation to the dignities of the Prince of Wales would enhance his real as well as nominal power. To enable him to confer the coveted dignity on his eldest son, the King effected an arrangement with William Herbert, who "was prevailed upon to surrender in chancery the letters patent granted to his father, and to renounce and relinquish all things contained therein, saving and reserving to the said William, the son and heir of William his father, the state and dignity of Earl, with all the pre-eminencies, honours, &c., to the state and dignity of Earl belonging, to the intent and effect that the King should grant to him the name, state, style, title, and dignity of Earl of Huntingdon, with all the pre-eminencies, &c. And accordingly, by letters patent, in the 15th year of his reign, reciting to this effect, the King erected, preferred, and created the said William Herbert the son, Earl of Huntingdon, &c., to hold to him and the heirs of the body of William Herbert, his father." This account of the transaction, so far as it is marked as a quotation, is taken from the Report of the Lords' Committee on the Dignity of a peer of the realm (3rd Rep. 29th July, 1822, p. 237); and the report observes that "the transaction seems to have been intended as a mere change of the name of honour, and not as a surrender of the dignity itself and the creation of a new dignity," and argues from it that "the dignity of Earl and the name of dignity were then considered as so far distinct that the patent granting the dignity by one name might be surrendered, reserving the dignity itself."<sup>1</sup> The new patent of the Earldom of Huntingdon was, I believe, dated 4th July, 1479, but there is some confusion among the authorities. Nicolas's *Historic Peerage*, by Courthope, gives this date *s.v.* Huntingdon; but *s.v.* Herbert he has 4th July 1472, and the report of the Lord's Committee gives only the regnal year, 15th Edward IV, which, if the date was 4th July, would bring us to 1475. At the latest of these dates William Herbert would have been a minor if Dugdale's statement of

<sup>1</sup> It further brings the case to bear on the question of titular Earldoms, which we discussed in the early pages of this memoir, by observing that "under the Norman and early Angevin princes the mere name of dignity, by which an earl was distinguished, was considered of little importance, and that this conjecture would account for the fact that in *Domesday* no name of dignity is annexed to the Christian name of any earl mentioned in that survey, except those who had foreign names of dignity, and for the frequent appellation of Earls by their Christian names only, and for various appellations of Earls," instancing, among others, the case of the early Earls of Pembroke bearing the appellation of Earls of Striguil.

of his age had been correct. The transaction in no way affected the ownership of Chepstow. On the contrary a patent, referred to in *Orm. Strig.*, 67 n., as contained in *Rot. Parl.* p. 207, 22 Edward IV (which, if it be the same patent we have been speaking of, gives us a fourth date to select from) saves to William, Earl of Huntingdon, the castles, lordships, and manors of Chepstow and Gower.

THE new Earl of Huntingdon did not make a figure in history. He was present at the coronation of Richard III, carrying the Queen's sceptre, and in November following was constituted Justice of North Wales; but we hear nothing more of him during the reign of Richard, nor is he once mentioned during the struggle which set Henry VII on the throne. On the other hand, his brother, Sir Walter Herbert, was an actor in those events, and was ordered by Richard to call out the militia of his county to oppose the Earl of Richmond's march from Milford Haven, Sir Walter and Rhys ap Thomas being spoken of by Polydore Vergil (p. 561, ed. 1570) as ruling Wales with almost equal power. His power, so far as Pembroke was concerned, was derived from the King himself; for the Earldom of Pembroke, with whatever possessions and powers were attached to it, had merged in the crown on the accession of Edward V, or, on the assumption of his illegitimacy, by which Richard III held his crown, became extinct on his death; and administrative powers may have been granted to Sir Walter Herbert on personal grounds, and irrespective of his family connections. The *Harl. MS.* 433, f. 30, has a minute, printed as Appendix C to Gairdner's *Life and Reign of Richard III*, of grants of life annuities to Welshmen, dated 12th November, 1 Richard III, being immediately after the suppression of Buckingham's rebellion. Among those issuing out of the Lordship of Uske is one of £20 to "William Herbert of Ragland," and among those issuing out of the Lordship of Monmouth is one of forty marks to "William Herbert, squier for the body." The inconsistency of these descriptions with the title of William Herbert, Earl of Huntingdon, and the nonexistence of any other known person who could have been described as William Herbert of Ragland, suggest the possible explanation that "William" may have been a misnomer for "Walter." If so, we have a glimpse of the steps by which Sir Walter Herbert may have risen to the position which he occupied at the close of Richard's reign. His marriage with Anne, daughter of the Duke of Buckingham, may have had some influence in acquiring him the favour of the usurper, though, if our surmise be correct, it did not prevent his

his rendering such service in opposition to his father in law's revolt as to entitle him to be rewarded among his Monmouthshire neighbours.

IN the meantime the Earl of Richmond, before his landing, finding unexpected difficulties in procuring the hand of Elizabeth of York, sent an agent to Sir Walter Herbert, to endeavour to detach him from the royal cause by offering to marry his sister (Pol. Verg., p. 559, ed. 1570, Hall's Chron., p. 410, ed. 1809); but the agent did not succeed in reaching him, and it does not appear whether Sir Walter's allowing Richmond to march eastwards without a blow was the result of accident or incapacity, his own treason, or the defection of others. His real attitude is left in doubt by Polydore Vergil, whose narrative is the basis of those of Hall and Grafton. According to these authorities Richmond, on his arrival at Harfordwest, was informed that Rhys ap Thomas and Sir John Savage, whose assistance he had been led to expect, would adhere to King Richard. Marching five miles towards Cardigan, he was met with a rumour, which could be traced to no definite source, that Sir Walter Herbert was at the head of a large force at Caermarthen to oppose him. He ascertained by scouts that this was a false alarm, and was at the same time reinforced by a small party, headed by one Griffyn, who came over to him "though he had joined with Sir Walter Herbert and Rhys ap Thomas." Marching forward, and being informed by his scouts that Sir Walter and Rhys ap Thomas were in arms to bar his passage, he determined to encounter them, in the hope of either overcoming them in fight or winning them over to his side: and proceeding in his march towards Shrewsbury, he was met by Rhys ap Thomas, with a goodly band of soldiers, who, with assured promise of loyalty, yielded themselves to his protection: but no further mention is made of Sir Walter Herbert. Shakespeare goes beyond the record in representing him (Richard III, act iv, sc. 5) as having joined Richmond's standard, and (act v, sc. 2 and 3) as being with him at Bosworth. We may set off this view of the matter against the directly contrary one of Dugdale (Baronage, ii, 258), that "he raised all the power he could to oppose the Earl of Richmond, by reason whereof losing his favour, when he obtained the crown, he made his niece, who was married to Sir Charles Somers, knight, heir to his lands." Dugdale cites Leland as his authority, but the passage referred to in his marginal note is found, on verification, to relate only to the latter half of the statement; and even in that there is a misquotation of "niece" for "sister." No doubt  
Dugdale

Dugdale considered he was justified in making a necessary correction as to the relationship of the parties, but the necessity for it might have made him distrust the authenticity of the whole statement, derived, as it avowedly was, from a casual informant on an antiquarian tour.

If any portion of Sir Walter Herbert's military power was derived from his brother, the latter's sickness might account for his being entrusted with it: but even in that case one would have expected such a negotiation as that just noticed to have been opened with the head of the family. Polydore Vergil speaks of Sir Walter as such, and as "a man of great power among the Welsh, and who had at home a marriageable sister." As to Richmond's overture, a possible explanation presents itself, which has not been noticed by historians. His proposal may have been a real affair of the heart. He was fourteen years of age, though Polydore Vergil says he was under ten, when his uncle, Jasper, released him from the gentle custody of Lady Herbert, by whom, whether looked upon as a prisoner or a ward, he was no doubt treated as a member of her family, and he may at that time have entertained a boyish affection for one of her daughters (some of whom must have been of about his own age), and recurred to it when the proposed match with the White Rose of York appeared to be broken off, or possibly sought it as the means of escape from a marriage of policy, in which his feelings were not enlisted. Sir Walter Herbert may have been the one member of the family for whom the young Richmond had formed the closest friendship, while an inmate with them at Raglan, Chepstow, Pembroke, or elsewhere, and in that capacity have been chosen as the medium for his proposal. There is some reason, or colour of reason, for supposing that this was not the first occasion on which the idea of a match between the Earl of Richmond and one of the Earl of Pembroke's daughters had been entertained. A manuscript in the possession of Sir Thomas Herbert,<sup>1</sup> of Tintern, baronet, which we shall shortly have again to refer to, but only as the authority for a statement so irreconcilable with facts as to destroy its credit, is cited by Dugdale (*Baronage*, ii, 258) in mentioning that the Earl of Pembroke made an earlier will than that  
already

<sup>1</sup> He is known as the author of a book of travels in India, Persia, &c., and still better as the attendant on Charles I. during his last hours. He is said to have been descended from Sir Richard Herbert of Coldbrook; but, even so, his relationship to the Earl of Huntingdon was not such as to account for his possession of family papers, or to entitle documents in his possession to greater credit as such than belonged to them by virtue of their owner's character as an antiquary, in which capacity he assisted Dugdale in his *Monasticon*.

already noticed, dated the 16th of July in the year of his death, in which he appointed marriages for several of his daughters, and, among others, that Maud, his daughter, should be wedded to the Lord Henry of Richmond. Richmond's overture related to one of her sisters: for this lady was already married to Henry, Earl of Northumberland, whose good offices were solicited in favour of the proposal through messengers at the same time. Sir Thomas Herbert's manuscript is further discredited by misnaming two of the daughters Jane and Mary, instead of Isabel and Margaret.

THE Earl of Huntingdon was living at least as late as 14th May, 1488, which is the date of a confirmation charter from Henry VII, by way of *Inspeximus*, mentioned in a note to Nicolas's *Historic Peerage*, by Courthope, in which his former patent for the Earldom of Huntingdon was, for some unexplained reason, confirmed, but with an altered limitation to the heirs *male* of William his father. The date of his death is given by Archdeacon Coxe, without citing authority, as 1491. He left issue an only daughter, Elizabeth; and not the least extraordinary of the remarkable transactions connected with this Earldom of Huntingdon is that neither she, who, under her father's first patent, would be entitled as heir in tail general of her grandfather, and actually succeeded to the Barony of Herbert, nor her uncle, who, under the second patent, would be his heir male, ever claimed the Earldom, which has always been treated as having, for some unexplained and unsuggested reason, become extinct, though Sir Harris Nicolas abstains from saying that it was so in fact. Mr. Wakeman, in his paper on the Town and Castle of Chepstow, says that Elizabeth Herbert did not immediately succeed to her father's estate, which was held by her uncle, Sir Walter Herbert of Caldicot,<sup>1</sup> during his life, and that he died in 1507. Assuming that there is authority for this statement, which, in the absence of any authority cited, we are unable to investigate, but which may possibly turn out to be correct in relation only to Sir Walter's own patrimony, it seems to point to some unknown fact in the family history of the Herberts, which, if ascertained, might account for various circumstances at present appearing inexplicable, such as the extraordinary limitations of the confirmation patent to the Earl of Huntingdon, by which the rights of his only child were transferred to his brother—the abandonment by both of any claim to the Earldom, while the Barony of Herbert clearly descended

<sup>1</sup> As to the reason for his being so styled, and his tenure of Caldicot, see the same author's *Notes on the History of Caldicot Castle*, printed for the Caerleon Antiquarian Association, 1854.

descended to the daughter, whose marriage with Sir Charles Somerfet gave him, as we shall see, the title of Lord Herbert at least as early as 1503-4—and the position of Sir Walter Herbert, acting as apparent head of the family in his brother's lifetime, in 1485. It is useless to hazard a guess without a tittle of evidence to support it. "Tu tibi, lector, Œdipus esto." It is stated in Leland's Itinerary (vi, 30), on the information of one Morgan—being in fact the passage cited by Dugdale, as referred to in a previous page, but so full of mistakes as to deserve no credit—that "after the deathe of Herebert, Erle of Pembroke, one Syr Walter Herebert was heyre in appearance, and he, being in displeasure, made his sifter as heire to the lande, and she was married to Syr Charles Somerfet." This may have been a first step towards the statement quoted from Mr. Wakeman.

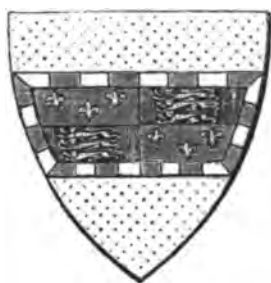
IN Dugdale's Baronage (ii, 258) is a statement, which it is, if possible, still more difficult to reconcile with known facts. Speaking of the Earl of Huntingdon, he says that "this William, upon the last of February [1 Richard III], entered into covenants with that King to take Dame Catherine Plantagenet, his daughter, to wife, before the feast of St. Michael then next following, as also to make her a jointure in lands of £200 per annum value, the King undertaking to fettle lands and lordships of 1000 marks per annum upon them, and promising further to be at the whole charge of the wedding." He adds that he "cannot say whether this marriage took effect or not, for sure it is that she died in her tender years." Barlow's English Peerage, copied with verbal alterations, but without acknowledgment, by Burke, improves upon this statement, by adding that he *afterwards* wedded Mary, the fifth sister and coheir of Richard Widville, Earl Rivers. For Dugdale's own statement no better authority is cited than the manuscript in the possession of Sir Thomas Herbert of Tintern, already referred to. If even the Earl of Huntingdon was then a widower, it does not seem probable that he would have been selected as a husband for a child of tender years; and there is some indication of his wife Mary Widville having survived him; for in the Privy Purse Expences of Elizabeth of York, on the 28th of August, 1492, there are payments, of 10s. each, to a servant of Sir Walter Herbert, for bringing a gohawk to the Queen at Chepstow, and to the mariners that conveyed the Queen's Grace over Severn, beside Chepstow. The Queen's visit to Chepstow is natural enough if the Countess of Huntingdon, who was her aunt, was living there. The renewed mention of Sir Walter Herbert in connection with the place is worth notice  
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in relation to what has been said as to his position in the family. By an Act of 1 Henry VII he was specially protected in the office of Steward of Ulke, Carlion, and Treyleck (which disproves Dugdale's statement as to his opposition to the Earl of Richmond, and consequent disfavour), and in 1492 was retained to serve the King with a large retinue. The Privy Purse Expences of Elizabeth of York contains another entry, under the date of 2nd October, 1502, of a payment of 10s. to a servant of my Lady Herbert, wife to Sir Walter Herbert, knight, in reward for bringing of an hert to the Queen, at Langley.

THE heiress of the Herberts was also one of the coheiresses of the Widvilles. Her grandfather, Richard Widville, Earl Rivers, and her uncle, Sir John Widville, were among the victims beheaded by the Lancastrians after the battle of Danesmore. The brave and accomplished Anthony Widville, second Earl Rivers, whose patronage of Caxton would have preserved his name from oblivion if it had not been known to general history, had lost his head at Pontefract, one of the first victims of the tyranny of Richard III. Of the five remaining sons of the first Earl Rivers, two died young—Lionel was an ecclesiastic—Edward also died young, unless he was the same Edward whom Dugdale speaks of as a brother of Richard, first Earl Rivers, and known to history as Lord Widville, slain in Brittany, in 1488—and Richard, the third Earl Rivers, died without issue in the very year to which we have assigned the death of the Earl of Huntingdon. The marriage of Elizabeth Herbert with Sir Charles Somers set conveyed the castle and lordship of Chepstow into another line, the history of which it will be our next business to trace.

## CHAPTER IX.

## FAMILY OF SOMERSET, TO THE PERIOD OF THE COMMONWEALTH.



**C**HARLES Somerset, by whose marriage with the heiress of the Herberts of Chepstow Castle (for we have arrived at a period of its history when we must cease to call it Striguil) became the property of the ducal family, who are its present possessors, was the illegitimate but acknowledged offspring of Henry Beaufort, Duke of Somerset, beheaded by the victorious Yorkists, after the battle of Hexham, in 1463, and took a surname from his father's title. His mother's name was Joane Hill. I am not aware what was his age at the time of his father's death; nor have I met with any express record of the circumstances which placed him in intimate connection with Henry VII: but the King and he, bating his illegitimacy, were second cousins, the former's maternal and the latter's paternal grandfather being sons of John Beaufort, legitimated by that name by act of parliament, as one of the sons of John of Gaunt. It is likely enough that Charles Somerset was nearly of Henry's own age, and that the common calamity which drove the families of both, as refugees, to the continent caused them to be brought up together.

He is named by Polydore Vergil (p. 567, ed. 1570) among Henry VII's first Council. He distinguished himself, in the 12th year of the King's reign, in putting down an insurrection originating in Cornwall. The rebels, under the leadership of Thomas, Lord Audley, were defeated at Blackheath, and the engagement, though it makes little figure in history, was considered, at the time, of



of sufficient importance to be signalized by the creation of fourteen knights banneret, among whom the name of Sir Charles Somersfet stood second, as appears by the list among the Cotton MSS. (Claud. C. iii), printed in the Appendix to the first volume of Burke's *Commoners*. The precise date of his installation as a Knight of the Garter is unknown, the early records of the order being imperfect. It is given in the chronological list in Heylin's *History of St. George* as having been between 1494 and 1500: but as Sir Charles Somersfet is stated in the old French manuscript, already referred to as preserved in the quire of St. George's Chapel, to have succeeded Thomas de Borough (meaning Thomas, Baron de Burgh of Gainsborough, who is known to have died in 1496), and as the list of Knights of the Garter has the description of "Messire Charles Somersfet, Banneret," we have the means of a closer approximation, by fixing his installation as subsequent to the battle of Blackheath, which was fought on the 17th of June, 1497.

His marriage with Elizabeth Herbert, which gave him, in her right, the higher title of Lord Herbert, according to the usage of that period, must have been between this date and 19 Henry VII (1503-4), in which year he was, by that title, appointed constable of Payne Castle: and in the "Letters and Papers illustrative of the reigns of Richard III and Henry VII" (Master of the Rolls' Series, ii, 125) is a document, to which the editor says the earliest date assignable is July, 1505, relating to a negotiation carried on by him for an interview between Henry VII and Lewis XII, in which he is styled "le Syeur de Herbert." On the 30th July, 1506, is dated an indenture (Pote's *Hist. of Windsor*, p. 53), by which "Charles Somersfet, Knight, Lord Herbert and of Gower, and Elizabeth his wife, daughter and sole heir of William, late Earl of Huntingdon, gave an obit, to pray for the souls and good estate of this lord and lady during their lives, and for their souls after their decease; also for the souls of Henry, Duke of Somersfet, and William Herbert, Earl of Huntingdon, and for the souls of the mothers of the said Sir Charles and Lady Elizabeth, his wife, and all Christian souls." The obit was to be performed in a chapel at the west end of the south aisle of St. George's Chapel at Windsor, now known as the Beaufort Chapel; and a house was provided for the chantry priest, on the north side of St. George's Chapel, of which all trace has long been lost. Reckoning even from the date of his father's death, he must have been of a rather advanced age at his marriage, according to the standard of those days. On the 26th November, 1506, he  
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had a patent, creating him, in his own right, Baron Herbert, of Ragland, Chepstow, and Gower. In the following year, on the death of Giles, Lord Daubeney, he was appointed to succeed him as Lord Chamberlain, as recorded by Hall, who speaks of him as "Charles, bastard son of Henry, last Duke of Somerset, a man of a good wit and great experience."<sup>1</sup> The date of his wife's death is unknown. The last occasion on which we have mention of her as living is the foundation of the Windsor chantry, and from the fact of her husband having been twice subsequently married, we may infer that she did not long survive that event. It may very probably be that the loss, by her death, of his seat in the house of peers, in respect of the barony which he held in her right, was the occasion of his creation by patent as Baron Herbert of Ragland, Chepstow, and Gower. If so, his wife's death must have been between 30th July and 26th November, 1506. The importance of not confounding the two baronies by writ and patent is thus apparent.

HENRY VII died on the 21st April, 1509. Lord Herbert was one of his executors, and was continued in his office of Lord Chamberlain by the young King, Henry VIII, and appointed one of his first Council of nine persons, selected from his father's most trusted friends. To the first two parliaments of his reign he was summoned as "Charles Herbert, de Herbert, Chivaler," which is cited in the Observations on Dignities, prefixed to Courthope's Historic Peerage, as the latest instance of the recognition of curtesy in a dignity; but in fact these summonses must have been issued in error, the officials having lost sight of the later title by which Lord Herbert sat in those parliaments, or given him, out of compliment, the earlier title by which he was previously known.

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<sup>1</sup> We believe Hall to be inaccurate in the date here given, though we have been unable to find on the Rolls the Patent for Sir Charles Somerset's appointment as Lord Chamberlain. Probably it was not recorded; nor is there any record of the appointment of Lord Daubeney to that Office, but in 3 Henry VII, he was by Patent made one of the Chamberlains of the Exchequer, which, perhaps, has led to Hall's mistake. In his Index to the State Papers of Henry VIII, vol. xi, 4to. ed., published in 1852, the late Mr. Robert Lemon of the State Paper Office, a most careful and accurate man, states that Sir Charles Somerset, Earl of Worcester, was Lord Chamberlain from 1489 to 1526; whilst the name of Lord Daubeney does not occur in the List of Lord Chamberlains in Haydon's Book of Dignities.

In 17 Henry VIII, Charles, Earl of Worcester, then Lord Chamberlain to the King, being very aged, William, Lord Sands, obtained a grant of that office in reversion after his death. [Pat. 17 Henry VIII., Part I, m. 32.]—ED.

WHEN, in 1513, the King determined to prosecute in person his war in France, he sent in advance a force of 6000 men, under the command of Lord Herbert, the Earl of Shrewsbury being sent in command of another division of 8000, and the two commanders laid siege to Terouenne, the former on the east, the latter on the west side, and had made good progress before the arrival of the King in person. During a council in Lord Herbert's tent, "Baron Carew was slain by a bullet shot out of the town, which sudden adventure much dismayed the assembly, but the Lord Herbert comforted them with manly words, and so his death was passed over." The high valiancy of Lord Herbert and his captains, in repelling a sortie of the garrison, is specially noticed by the chroniclers. After the surrender and demolition of Terouenne, he led the rearward in the march to Tournay, and commanded the attack on the west side of that town. In special recognition of his services in this campaign, he had, on the 1st February, 1514, a patent for life of the office of Lord Chamberlain, previously held during pleasure, and on the following day was created Earl of Worcester. The terms of the patent, as printed in Vincent's Discovery (p. 614), are worthy of note:—*Sciatis nos . . . , considerantes generis nobilitatem, et præcipue nobis in sanguine propinquitatem, probatissimi viri amantissimi consanguinei nostri, Caroli Somerset, militis, domini Herbert, et camerarii nostri, qui, nullis cedens laboribus aut expensis, se nobis obsequiosum semper adhibuit, volentesque proinde eundem Carolum Somerset militem, condignis honoribus et regaliis præmiis ornare, ampliare, et sublimare, de gratia nostra . . . ipsum Carolum . . . . . ereximus," &c.* He had also the Constablewick of various castles and other honours, and was employed on several important embassies, including two to the Emperor Maximilian, one to convey to him the Order of the Garter, and the other to conclude treaties against the Turks. He represented his sovereign at the coronation of the King's sister Mary, on her marriage with the bedridden Lewis XII. He was one of the principal envoys in the stately embassy to France, in 1519, to arrange the marriage of the Princess Mary with the Dauphin. Polydore Vergil, and after him Archdeacon Coxe, represent him as being sent with the Bishop of Ely on a secret mission to ascertain whether the Dauphin was actually born. This was perhaps only a diplomatic jest, but it is quite true that the royal infant was not six months old when negotiations were opened by the French King for his marriage with Henry's daughter, and Hall alludes to a doubt whether the child was living, to satisfy which the Bishop of Ely, Sir Thomas Bulleyn, and Sir Richard Weston were detached from the embassy to ascertain the fact. With these authorities before

before him, the reader must judge for himself whether among the honours attained by the Earl of Worcester, was that of being allowed to kiss the baby—the means by which the doubts of the envoys were set at rest.

ONE of the terms of the treaty there negotiated was the restoration of Tournay to France; and the Earl of Worcester and the other ambassadors proceeded thither for the purpose. "The Lord Chatillon came near to the city of Tournay, with twenty-one hundred men in harness. The Earl of Worcester sent Sir Edward Belknap to know his commission, and there he shewed him his commission, which was to receive the city of Tournay. Then Sir Edward Belknap desired him to send his commission to the Earl of Worcester, which he refused to do, saying it was sufficient to show it. 'Well,' said Sir Edward Belknap, 'You must understand that we have a commission from the King, our Master, to deliver you the city at a day appointed, wherefore we must shew the King of England both your commission, that you had authority to receive it from the French King, and also that you, by your indenture, sealed with your seal of arms, shall confess that you receive the city as a gift, and not rendered as a right to the King, your master, or else be you sure that the city shall not be delivered.' Then the Lord Chatillon was wondrous wroth that he was no better believed. And so daily were great messages sent to the city from him to the Earl of Worcester, and answers were sent of the English part. But when the day approached, he had full answer that he must deliver his commission, and also seal the indenture, or else the Englishmen would not put him in possession of the town; for their commission was otherwise. The French captains, perceiving that if they disagreed at the day that doubts might follow, wherefore they sent their commission, and sealed their indenture, and sent it likewise in the morning, and came forward with their banners displayed. Whereof hearing, the Earl he sent word that the city was neither yielded nor gotten, but delivered for confederation of marriage, and therefore they should not enter with banners displayed. Then were the Frenchmen angry, but there was no remedy but to roll up their standards and banners. And when they came to the gates, there their commission and indenture were solemnly read openly, and then the Frenchmen entered, with drumslades and minstrelsy, without any banner, and then to Monsieur Chatillon was delivered the Castle." (Hall, p. 596, ed. 1809.)

It was not long before the Earl was again put into communication with  
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the Marechal de Chatillon. On this occasion it was to arrange with him the details of that unparalleled exhibition of royal pageantry—the Field of the Cloth of Gold. Of the general arrangements for the meeting of the two sovereigns between Guisnes and Ardres “all was ordered by the good discretion of the right reverend Cardinal of York;” but the arrangement of details was left, in a great measure, to the Earl of Worcester; and we obtain some insight into them from the Rutland Papers, and Chronicle of Calais, both printed by the Camden Society, and especially from a curious letter from the Earl to the King, dated 19th May, 1520, and printed in the latter volume, from the Cotton MS., Calig., D. vii, p. 219, in which he discusses with amusing minuteness the alterations suggested by Chatillon in the formation of the tilting ground, of which a “plat” had been furnished by King Henry himself. The whole letter, and it is by no means a short one, reads more like one from a contractor’s foreman to his principal than from a Lord Chamberlain to his sovereign. In the pageant itself the Earl occupied a prominent position, irrespective of his office of Lord Chamberlain, for he was one of the four judges, or umpires, on Henry’s part, nominated by a memorandum, still extant, in the King’s handwriting, and one of the nobles appointed to attend upon the King and the French Queen to the field, his son being one of the combatants. The Countess of Worcester was not one of the 5804 persons who formed the retinue of the King and Queen on this gorgeous occasion. She was in attendance on the Princess Mary, at Richmond, as we find from letters from the Lords of the Council to the King and Cardinal Wolsey, printed at pp. 90 and 92 of the Chronicle of Calais. This lady was either his second wife, Elizabeth, daughter of Thomas, Lord de la Warr, by whom he had three children, or his third, Eleanor, daughter of Sir Edmund Sutton, and sister of John Sutton, Baron Dudley: but nothing is known of the dates of his marriages.

HE sat on the Duke of Buckingham’s trial, in May, 1521, and was a member of Wolsey’s mission to Calais, in August of the same year, and was sent from that place, with the Bishop of Ely, on a separate embassy to the French King. In short he continued to occupy a prominent place in court and council until his death. He is the last of our gallery, who is entitled to a place among Shakespearian portraits, and even that under rather ambiguous circumstances. He was succeeded in his office of Lord Chamberlain by Lord Sands, who, under that name, is one of the characters in the play of Henry VIII,

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the action of which extends over the period from the arrest of Buckingham, in 1521, to the birth of Queen Elizabeth, in 1533: and Shakespeare, without noticing, or perhaps to cover, the fact of Worcester's death between those dates, makes a character of "the Lord Chamberlain," without giving him a name.

A LITTLE more than a year before his death (2nd Dec., 16 Henry VIII), he granted to his burgeses of Chepstow a new charter, which I have not had an opportunity of consulting, but avail myself of the flight notice of it in Mr. Wakeman's paper and Mr. Ormerod's *Strigulensia*. It recites that the Earl had rebuilt the town gate, and given it to the burgeses, for a prison, and provides for the appointment of municipal officers, of whom the Lord's Steward was one, and two bailiffs were chosen by the Burgeses, with Serjeants at mace &c. Long before this period there are traces of a municipal corporation at Chepstow, which in fact subsisted as late as the reign of Charles II. The Tintern charter, 1 Henry III, speaks of property "infra Burgum Strugull." The Survey of Wentwood, 1270, alludes to persons having "bought land of the Steward and Bailiffs of Strogul." And a writ of Edward I, making requisitions for provisions, is addressed to the "Ballivi, probi homines, et mercatores de Strogoule." Charters from feudal lords to their burgeses, or free tenants, releasing some of the most oppressive incidents of tenure, are of very common occurrence. Charters of incorporation, it is said, have had their origin in all cases in grants from the crown, either on record, or presumed from their high antiquity in cases where the evidence has been lost. One instance at least might however be cited of a document, of the reign of Edward I, purporting to be under the common seal of the free tenants and commonalty of a Lancashire town, which there is no reason whatever for supposing to have ever had, until our own day, a royal charter. But whatever may have been the general law or custom of the realm, the ample powers and palatine jurisdiction of a Lord Marcher may have made this district an exception, and there is reason to believe that Caerleon and other towns in the Marches derived charters of incorporation from their lords.

THESE ample powers however were at this period near their final extinction, and we may anticipate a little the chronological order of events, to allude to the abolition of the Lordships Marchers in the time of this Earl's successor. They had long been shorn of much of their importance. The power of  
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extension by the invasion of Welsh territory had come to an end with the final subjection of Llewellyn by Edward I, after which, the rights of the Welsh Prince having been acquired by the English sovereign, of course no further encroachments could be permitted to his subjects. The powers of the Lords Marchers had been further curtailed, or at least regulated, by the establishment of the President and Council of the Marches, in the reign of Edward IV; and at length, by statute 27th Henry VIII, the Lordships Marchers were finally dissolved, and divided into five counties, four of which, Radnor, Brecknock, Montgomery, and Denbigh were declared to be in Wales; and Monmouth became an English county, the Lords Marchers, by that and subsequent statutes, being reduced to the position of English Lords of Manors.

THE Earl of Worcester died on the 15th of April, 1526. His third wife, Eleanor, probably survived him, as she is mentioned in his will, dated as late as 21st March, 1524. A portrait of him was exhibited at South Kensington, in 1866 (No. 65 in Catalogue), contributed by the Duke of Beaufort. The Earl was buried, with his first wife, in his own chantry chapel, with a stately monument, engraved in Pote's Antiquities of Windfor.

HENRY Somerset, his only son by his first marriage, succeeded him as second Earl of Worcester. He already bore the title of Lord Herbert, which, was not a mere courtesy title, assumed, according to modern usage, from a minor peerage held by his father, but was in fact the barony of Herbert, created by writ in 1 Edward IV, and which descended to him on the death of his mother in her husband's lifetime. Sir Harris Nicolas gives a blank for the date of that event, which we have shewn, above, some reason for fixing in the year 1506. Henry Somerset sat, as Lord Herbert, on the trial of the Duke of Buckingham, in May 1521, and must therefore have been a peer of parliament and of full age at that date. He was probably a little older, for his parents' marriage may have been at any date after June 1497, and he must have been in full strength and vigour when he was selected as one of the champions to uphold the credit of English chivalry at the Field of the Cloth of Gold. He was one of the band of which the Earl of Devonshire was captain. He was married at this period, for in the letters to the King and Wolsey, already referred to, his wife is mentioned as being in attendance, along with the Countess of Worcester, on the Princess Mary at Richmond. In one of these letters there is a blank for her christian name, and in the other,  
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by the same hand and of the same date, she is called Margaret. It has until recently been supposed that he was only once married, namely to Elizabeth, daughter of Sir Anthony Brown, the ancestor of the Viscounts Montagu, and holder of several important offices at court; but it seems that he had previously married and survived Margaret, daughter of William Courtenay, Earl of Devon, and Katherine, his wife, daughter of Edward IV, for the will of the Countess of Devon, dated 2nd May, 1527, and printed in the *Archæological Journal*, x, 53, bequeaths an obit "for the soule of Margaret, late wyfe of Henry, Lord Herberd, our doughter," who was doubtless the lady just referred to.

It is remarkable that, though appointed as one of the King's "knights" at the Field of the Cloth of Gold, he had not been knighted, but received that honour, more than three years afterwards, at the hands of Charles Brandon, Duke of Suffolk, commanding the King's army in France. It may be inferred from this that he was no carpet knight, but acquitted himself with credit in the field as well as the tilt-yard: but his career, like that of his descendants for several generations, was that of a courtier, rather than either a soldier or a statesman. At the coronation of Queen Anna Boleyn, both he and his Countess took part in the stately ceremonies, the latter, at the banquet, discharging a very peculiar function. "On the right side of the chair stood the Countess of Oxford, widow, and on the left side stood the Countess of Worcester, all the dinner season, which divers times in the dinner time did hold a fine cloth before the Queen's face when she list to spit, or do otherwise at her pleasure." (Hall, p. 804, ed. 1809.) Her present Most Gracious Majesty, and her predecessors for some generations, having list to do otherwise, this honorable office has fallen into desuetude. At the christening of Queen Elizabeth, the Earl of Worcester carried a covered cup of gold, the christening gift of the Archbishop of Canterbury. The Earl was one of the peers, twenty-seven in number, including the Lord High Steward, who sat on the trial of Queen Anna Boleyn and her brother, the Earl of Rochford, on the 15th of May, 1536.

In the same year was passed the act for the dissolution of the smaller monasteries, 27 Henry VIII, c. 28. It is surprising that Tintern Abbey should have come within this category, when we refer to its extensive possessions described in the charter of the younger William Marshal and the augmentations by Roger Bigod and other benefactors: but the line was drawn at an income of £200 per annum, and Tintern was returned at £246 11s. 6d. gross, and  
£192 1s 4d



£192 1s 4d nett income.<sup>1</sup> The latter figures were those acted upon. The former would have exempted the Abbey from the first act of dissolution, and it is certain that in 28 Henry VIII it was dissolved, and the site granted to the Earl of Worcester. The fact as to value seems to be that the declared gross annual values of the religious houses were the amount of the yearly reserved rents only, which were nearly nominal, the principal revenue being derived from the fines on renewal of leases. It is unnecessary to suppose, with some writers, that the Abbots and Priors had adopted the system of low rents and high fines in preparation for the impending storm: for the bad system was one which has subsisted almost to our own day in the management of great landed estates, and as regards episcopal and collegiate estates is scarcely yet extinct. But possibly the system itself may be a trace of the management of abbey lands, originally adopted by the monks as a contrivance for the purpose of reducing their contributions to papal and national imposts—winked at by the King and his ministers at the Dissolution, in order that the nation might not be startled at the amount of the confiscated and squandered revenue—and continued by the grantees, partly from the same motive, and partly from the difficulty of breaking through established usage. Be this as it may, it has been estimated that, on an average, the declared was less than one tenth of the real value of the dissolved monasteries, without reference to any change in the value of money.

THE second Earl of Worcester died on the 26th of November, 1549. He had four sons and four daughters. Of the former, the first, William, succeeded him. The second Thomas was implicated in a conspiracy in favour of Mary, Queen of Scots, and died in the Tower, in 1587. The third, Sir Charles Somerset, standard-bearer to Queen Elizabeth's band of gentlemen pensioners, died at Chepstow, in 1599. The fourth, Francis, was killed at the battle of Pinky, in 1547. One of the daughters, married to Thomas Percy, seventh Earl of Northumberland, was the Lady Percy in the old ballad of *The Riving in the North* (Percy's *Reliques* i, 285, ed. 1794), and the others respectively married Sir Edward Vaughan, John Neville Lord Latimer, and Sir Edward Mansell.

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<sup>1</sup> We constantly meet with the larger sum quoted on the authority of Speed, or the smaller on that of Dugdale, and the same discrepancy as regards other monasteries: but a list in the Cotton Library (Cleop. E. iv, 11, fo. 283), printed in Stevens' *Additions to Dugdale*, gives in all cases both amounts, the first as "summa inde," and the second as "summa clara."

THE Earl and his Countess (I know not which was the survivor) were buried, not at Raglan, as stated by Dugdale (*Baronage*, ii, 275), but in Chepstow Church, where a monument was erected, which is now standing on the north side of the chancel, and engraved in Sandford's *Genealogical History*. It is a handsome specimen of the monumental architecture of the Tudor period, consisting of an altar tomb, under a canopy supported on columns and arches, with effigies of husband and wife in freestone, painted and gilt. On the south side of the canopy is a coat of arms, which, it is presumed, has been re-painted under incompetent direction, after the original had been too much defaced to make it out distinctly. It is a quarterly coat: and knowing what we do of the Earl's pedigree, there is no difficulty in determining a priori what bearings it must have shewn. The first Earl of Worcester, according to Heylin, bore the arms of his father, Henry Beaufort, Duke of Somerset (quarterly France and England, in a bordure compony Argent and Azure) with a batune, or, as he figures it, a bendlet, sinister Argent, by way of abatement in respect of his illegitimacy, and over all, in an escutcheon of pretence, the Herbert coat, which of course his descendants would be entitled to quarter. The second and third Earls varied the abatement by bearing the Beaufort coat as a fess on a shield Or. Treating this as the paternal coat of the second Earl, it properly occupies the first and fourth quarters of the escutcheon on his monument. He could derive no other quarterings from his father. The second quarter would necessarily be his mother's arms, and the third either the same or those of any family of which, through her, he was the representative. Accordingly the third quarter is an attempt, though a very unsuccessful one, to represent what, if the painter had known how to depict a bearing so simple that it required a perverse ingenuity to go wrong, would have been the coat of Widville (Argent, a fess and canton Gules), of which family, as noticed above, Elizabeth Herbert became one of the representatives, as coheirs of Richard, third Earl Rivers. But instead of the arms of Herbert in the second quarter, we find England and France impaled. The only explanation I can suggest is that the arms originally depicted had left just so much trace as to shew an impaled coat with lions in it, and from this hint and his inner consciousness, the painter, or his employer, evolved the bearings now shewn. At the west end of the tomb are the same quartered arms, impaled with those of Brown, for the Earl's wife. We should have looked with double interest at the monument, if we could have seen on it a veritable representation of one of the banners displayed on the memorable field between Guines and Ardres. That we may not have to recur to the subject

subject of armorial bearings, it may be mentioned that the fourth Earl of Worcester,<sup>1</sup> and his descendants, Marquises of Worcester and Dukes of Beaufort, to the present day have abandoned the fess, and have borne the arms of the Beauforts, Dukes of Somerset (quarterly France and England, in a bordure compony Argent and Azure) without difference. No doubt this has been done by due heraldic authority, which I would not be understood to question, but it is a curious heraldic anomaly that the arms of the family of Beaufort, Dukes of Somerset, should be borne by that of Somerset, Dukes of Beaufort, neither differenced, nor quartered, nor derived in the ordinary course of descent, nor even representing the same surname to which they originally belonged. Sir John Ferne, in his *Blazon of Gentry* (p. 285, ed. 1586), strenuously opposes the unlearned teaching of still older heralds, that the abatements in respect of illegitimacy may be removed after three generations. Modern ones have gone so far as to speak of it as a vulgar error, arguing, with reason, that no lapse of time can convert an illegitimate into a legitimate descent. Their reasoning is unanswerable, but the fact remains that the practice of heralds has not been in accordance with it, of which the present case is one instance, and another is that of the present Earls of Pembroke and Montgomery, who bear the Herbert coat, without the bordure compony Or and Gules bezanty, which for some generations marked their descent from Sir Richard Herbert, of Ewias, the illegitimate son of the first William Herbert, Earl of Pembroke. The last mentioned is in some respects the stronger case; firstly, because the bearing of the Herbert coat undifferenced, by a family bearing the name of Herbert (to say nothing of the title of their earldom), is an apparent assertion not only of legitimate descent, but of the actual representation of the family—and secondly, that while the bearing of the Beaufort coat by the Somerset family trenches on no existing rights, the legitimate line being extinct or merged in the crown, the Herbert coat belongs to the Duke of Beaufort in unquestionable right, as representative, through a female, of the eldest line, and has descended to his Grace along with his barony of Herbert.

WILLIAM Somerset, third Earl of Worcester, succeeded to his title in 1549, as the eldest son of the second Earl, being then, on the authority of Barlow's

<sup>1</sup> Heylin is the authority for stating that the change was made as early as this Earl; but Guillim, in the woodcut title to the first edition of his *Display of Heraldrie*, fo. Lond., 1611, and also at p. 259 of the work, gives the Beaufort coat on a fess as the arms of the then Earl of Worcester (Edward, fourth Earl), as one of the five Commissioners for executing the office of Earl Marshal.

Barlow's English Peerage, aged twenty-two. Archdeacon Coxe (Mon. p. 362) in the same sentence represents his father, Henry, the second Earl, as dying in 1549 (3 Edward VI), aged fifty-three years, and as accompanying the Marquis of Northampton into France, on his embassy to present the King with the Order of the Garter, in 5 Edward VI. Among all the mistakes of this author, a confusion between father and son would scarcely have been worth notice; but there was in fact such an embassy of the Marquis of Northampton, in the year 1551, and we do not find that the then Earl of Worcester was one of the ambassadors named. The first public act we find related of this nobleman is his sitting, as one of the peers, on the trial of the Protector Somerset, on the 1st of December in the same year. As Lord Herbert, he was one of the Knights of the Bath created on the coronation of Edward VI. He signed, as a member of the Privy Council, the letters patent of that sovereign, dated the 21st of June, 1553, and printed in the Chronicle of Queen Jane, edited by Mr. J. G. Nichols, for the Camden Society; but as they were signed by every member of the Privy Council, on the requirement of the Lord Chancellor, before he would lend himself, by the use of the Great Seal, to that daring attempt of the Duke of Northumberland to change the succession to the crown, and as the Earl of Worcester's name was not appended either to the accompanying mutual engagement, signed by twenty-four members of the council, to maintain the succession as limited by those letters patent, or to the answer of the council to Mary Tudor's demand of the throne (printed in Nicolas's Life of Lady Jane Grey), he does not appear to have been considered as having done anything to forfeit the favour of Queen Mary. On the contrary he officiated as the Queen's Carver at her coronation banquet (Machyn's Diary, Cam. Soc., p. 46). During the rest of her reign we find no mention of him. His marriage with Christian, daughter of Edward, Lord North, if there be no mistake as to the age at which their son died, must have been as early as 1548, when the Earl now under notice was about twenty-one years of age. Dugdale (Baronage ii, 295), says he was installed Knight of the Garter in the reign of Edward VI: but his stall-plate in St. George's Chapel, No. 8 in the 14th stall, records that "Guillaume, conte de Worcester, Baron de Herbert, chevalier du tres noble ordre de la jarretière, fust enstallé 19 jour de Juin 1570," which would be 12 Elizabeth.

He remained during the rest of his life attached to the Court of Queen  
Elizabeth

Elizabeth, and from the public employments in which he was engaged must have had some reputation as a diplomatist. On the 18th of January, 1573, Holinshed relates that William, Lord Somerset, Earl of Worcester, began his journey towards France, to the christening of the King's daughter there, instead of the Queen's Majesty of England, who sent with him a font of gold for that purpose weighing 326 ounces. The said Earl, with many of his company, were robbed upon the sea, by pirates, of much of their baggage, and three or four of their men slain. In France he and his train were honourably received. At the christening he gave the child to name Elizabeth. They returned into England the 27th of February (Holinshed iv, 321, ed. 1808). His duties on this mission were something more than to take part in a courtly ceremonial. The massacre of St. Bartholomew, on the 24th of August previous, had excited the horror of Europe, and nowhere out of France were its effects more important than in England, the relations of Queen Elizabeth and Charles IX being already in the most critical condition. The French King at once sent ambassadors to England, to represent his conduct in the most favourable light, and to urge the marriage of Elizabeth with the Duke d'Alençon, and the continuance of the Queen's friendship, and as a pledge of this begging her to stand sponsor to his child. The occasion was one which called for all the wisdom of Elizabeth and her statesmen. Her answer was such as to prevent a rupture, while forcibly and earnestly rebuking the atrocious act which gave rise to the embassy, and she caused the same language to be held by the ambassador whom she sent to attend the christening (Sharon Turner's *Edward VI, Mary and Elizabeth*, p. 571, ed. 1829, quoting Digges). This was a position of some delicacy, in which the Earl of Worcester appears to have acquitted himself satisfactorily. He was one of the forty-two commissioners, appointed along with five of the judges, for the trial of Mary, Queen of Scots, in October, 1586, and no doubt took part in her condemnation, two only of the commissioners, the Earls of Shrewsbury and Warwick being mentioned as having been absent from sickness on the last day of the trial.

He died, according to Dugdale (*Baronage*, ii, 295), on the 22nd of February, 1587, 30 Elizabeth, which would be 1588, according to the historical reckoning, but Nicolas's *Historic Peerage*, by Courthope, gives the date of 1589, which agrees with the inscription on his monument, recording his death on the 21st March, 1589, aged 61 years. He left three children, Edward, his only son and heir, and two daughters, of whom Elizabeth married William, younger son of William

William, Lord Windfor, and Lucy married Henry Herbert, son of Sir Thomas Herbert, of Wynaſtow. By his will he directed his burial in the pariſh church of Ragland, and that a tomb of marble ſhould be made over his grave, which was accordingly done, the monument repreſenting him in armour and parliamentary robes, and decorated with the Garter: but it has long ſince diſappeared. His arms in a window of Middle Temple Hall, as recorded in Dugdale's *Origines Juridicales*, are a quarterly coat, agreeing with what we have ſurmized the arms on his father's tomb at Chepſtow ought to have been, except that Dugdale has not accurately blazoned the tinctures.

His ſon, Edward, fourth Earl of Worceſter, is ſaid to have died in the 79th year of his age, which would bring the date of his birth to the year 1549, or thereabouts. He was a diſtinguiſhed member of the remarkable circle who formed the Court of Queen Elizabeth, and no doubt occupied a more prominent place in the eyes of his contemporaries than he does in thoſe of poſterity. He is thus noticed in Naunton's *Fragmenta Regalia* (p. 39, ed. 1642):—"My lord of Worceſter I have here put laſt, but not leaſt, in the Queen's favour. He was of the ancient and noble blood of the Beauforts, and of her grandfather's line by the mother,<sup>1</sup> which the Queen could never forget, eſpecially where there was concurrency of old blood with fidelity, a mixture which ever ſorted with the Queen's nature: and though there might appear ſomewhat in this houſe which might avert her grace (though not to ſpeak of my lord himſelf but in due reverence and honour), I mean contrariety or ſuſpicion in religion, yet the Queen ever reſpected this houſe, and principally this noble lord, whom ſhe firſt made Maſter of the Horſe, and then admitted to her Council of State. In his youth, part whereof he ſpent before he came to reſide at court, he was a very fine gentleman, and the beſt horſeman and tilter of the times, which were then the manlike and noble recreations of the court, and ſuch as took up the applauſe of men, as well as the praiſe and commendation of ladies: and when years had abated theſe exerciſes of honour, he grew then a faithful and profound counſellor; and as I have placed

<sup>1</sup> This is clumsily expreſſed; but the alluſion ſeems to be to his deſcent from the female line of the Widvilles, and conſequent relationship to Elizabeth of York, the Queen of Henry VII, in reſpect of which connexion he was in fact Queen Elizabeth's fourth couſin. In addition to this, as will be ſhewn preſently, his wife, of the noble family of Haſtings, ſtood in precisely the ſame degree of relationship to the Queen by reaſon of their common deſcent from Richard, Duke of York, the father of Edward IV.

placed him last, so was he the last liver of all the servants of her favour, and had the honour to see his renowned mistress and all of them laid in the places of their rest, and for himself, after a life of a very noble and remarkable reputation, he died rich, and in a peaceable old age."

IN 1590 he was sent on an embassy to James VI of Scotland, to congratulate him on his marriage, and announce his election as a Knight of the Garter. The Earl himself was shortly afterwards admitted to that illustrious Order. Mr. Dircks, in his *Life and Times of the second Marquis of Worcester*—a work we shall have frequent occasion to quote—assigns the date of 1604 to the latter event, but the conclusive evidence is the stall-plate (the 13th of the 7th stall) "*du tres noble et puissant seigneur, Edward, Comte de Worcester baron Herbert, seigneur de Ragland, Chepstow, et de Gowers, chevalier du tres noble ordre de la jarretière, le 26 jour de Juine, 1593,*" four stalls being filled on the same day with the names of Henry Percy, Earl of Northumberland, Thomas, Lord Burgh, Edmond Sheffield, Earl of Mulgrave and Sir Francis Knollys. The installation of these five knights was the subject of Peele's poem of "*The Honour of the Garter.*" On the same date as that given by Mr. Dircks, 5th January, 1604, it appears from Anstis on the Order of the Bath (Appendix, p. 61) that Sir Thomas Somersfet, the second son of Edward, Earl of Worcester, was one of the eleven Knights of the Bath created along with Prince Charles; and Mr. Dircks' error has probably arisen from a misreading of some notice of this event.

THE Earl of Worcester sat on the investigation of the Privy Council—or rather a commission consisting of the Privy Council and certain peers and judges—of the conduct of the Earl of Essex, on his unauthorized return from his command in Ireland. Many of the councillors gave their censures, as they called them, at great length. The Earl of Worcester's was concise and characteristic. It was in the form of a Latin couplet:—

*"Scilicet a superis etiam fortuna luenda est,  
Nec veniam, læso numine, casus habet."*

He was doubtless aware that the severity of his "censure," while testifying his devotion to his sovereign, involved no real danger to the subject of it. Essex was deprived of all his offices, except that, at the express command of the Queen, he was retained in that of Master of the Horse, which kept him  
at

at her court, and was a pledge of conditional return to her favour. Eight months later, when the vain and headstrong favourite had formed, and was on the point of putting in execution, a plot—which was no secret to the government—for seizing the Queen's person, or at least compelling her, by personal duress and his presumed ascendancy over her, to change her ministers, the Earl of Worcester was sent, with the Lord Keeper Egerton, Chief Justice Popham, and Sir William Knollys, the Comptroller of the Household, to prevent his rash enterprise by caution and remonstrance. These high officers were detained as prisoners at Effex House for some hours, while the Earl was making his futile attempt to raise an insurrection in the city. This treatment of the privy councillors was one of the overt acts charged against Effex on his trial for high treason, on the 19th of February, 1601, and was proved by the Earl of Worcester, who sat on the trial as a peer, and Popham, who was one of the eight judges called in to assist and advise on points of law. Effex was executed on the 25th of February, and his post of Master of the Horse was, on the 21st of April, conferred on the Earl of Worcester. On the accession of King James the same office was continued to him for life, with a fee of 100 marks per annum. In 2 Jac., according to Dugdale (*Baronage*, ii, 295), "he was constituted one of the Lords Commissioners for exercising the office of Earl Marshal of England, but upon the 1st of January, 13 Jac., resigning that office of Master of the Horse, he was, the day next following, made Lord Privy Seal, and in 15 Jac. (27th March) had a new grant of that office of Lord Privy Seal, with the fee of £1500 per annum, for life, whereupon, in January, 18 Jac., receiving command to sit in the Court of Requests, with the Masters there, the King deeming it unfit that so great a magistrate should not have a seat of judicature, he took his place there accordingly upon the 7th of February." We give the authority as we find it: but by a commission, dated as early as 22nd July, 1 Jac., printed in *Antis* on the Order of the Bath (Appendix, p. 60), appointing Edward, Earl of Worcester, one of the commissioners to act in the creation of Knights of the Bath, on the occasion of the King's coronation, he is described as "our Marshal of England."

His portrait, engraved by Simon Paf, <sup>1</sup> in 1618, which was nine years before his death, represents him then as of advanced age. Another representation of him will be mentioned in relation to his son's marriage. The compliments

<sup>1</sup> A scarce print, priced in Caulfield's *Chalcographiana* at seven guineas.



compliments of an anagram, preserved in Camden's Remaines (p. 175, ed. 1657), "Edvvardvs Somerfet—Moderatus sed verus," and a metrical dedication to him of Heywood's Great Britaines Troy, in which he is described as "Edward, Earle of Worcester, Lord of Chepstoll, Ragland, and Gower," may be taken for what they are worth.

HE died on the 3rd of March, 1627, in his seventy-ninth year, according to Mr. Dircks (p. 8), who however gives no authority for his statement of the age, and as to the date we should read, 1627-8: for at p. 12 he cites a letter from him, dated 11th June, 1627. This is, as we shall see, no isolated instance of Mr. Dircks' disregard of the distinction between the civil and historical year. There is a biography in Lloyd's State Worthies (p. 581, ed. 1670), giving the age of eighty-four; but it is so full of blunders that no reliance can be placed on it. The Earl married Elizabeth, daughter of Francis Hastings, Earl of Huntingdon, by Catherine, his wife, daughter of Henry Pole, Lord Montagu. Through this marriage the Dukes of Beaufort have a second claim to consanguinity with the Royal Family: for the mother of Henry Pole was Margaret, Countess of Salisbury, daughter of George, Duke of Clarence. The present Duke of Beaufort is therefore fifteenth in lineal descent from Richard, Duke of York, from whom, through his eldest son, Edward IV, Her Majesty is fourteenth in descent: and consequently there is precisely the same degree of relationship (thirteenth cousin once removed) as has been traced in a previous chapter, through the family of Widville. The Countess of Worcester left her husband a widower on the 24th of August, 1621. The issue of this marriage, in addition to an eldest son, William, who died unmarried in his father's lifetime, and several other children who died in infancy, were Henry (his second son and heir), Sir Thomas, created Viscount Somersford of Caffel,<sup>1</sup> Sir Charles and Sir Edward Somersford (all Knights of the Bath), and six daughters. He was buried at Raglan; but the tomb of himself and his wife, erected in his lifetime, has also disappeared, some fragments only remaining at the period of Archdeacon Coxe's visit.

HENRY Somersford, the fifth Earl, was born in or about 1577. This is much later than the usually received date: but Mr. Dircks, on the authority of

<sup>1</sup> Sir George Carew, writing to Sir Thomas Roe in August, 1616, says, Sir Thomas Somersford is married to the Countess of Ormond in Ireland, by whom he hath a great estate. She was Elizabeth the daughter of John second Lord Sheffield and relict of Thomas second Earl of Ormond. (See Letters of George Lord Carew to Sir Thomas Roe, p. 41, Camden Society's Publications, 1859).—ED.

of Anthony Wood, states that he was aged fourteen in 1591, being then, with his brother William, a year older, at Magdalen College, Oxford. After being two or three years at College, he was sent to travel in France, Italy, &c., where Anthony Wood, as cited by Mr. Dircks, presumes he changed his religion for that of Rome, to which as we have seen, in the extract from Naunton's *Fragmenta Regalia*, there was at least a leaning on his father's part. The son is stated in some biographical notices of him to have been educated at St. Omers; and it appears from a petition of the Jesuits, soon after the Restoration, praying for the same indulgence as was extended to the Roman Catholics generally, that he had been a Penitent of their Society (Dircks, p. 232). He began life in the court of Queen Elizabeth, and his marriage, when in his twenty-second year, to the Lady Anne Russell, second daughter and only surviving child of John, Lord Russell, the eldest surviving son and heir apparent of Francis Russell, Earl of Bedford, was one of the court events of the period, the Queen herself condescending to dance at the wedding, though within three months of her sixty-seventh birthday. The Queen's procession, in a litter borne by six knights, to celebrate the marriage at the house of the bride's parents in Blackfriars, has been ascertained by Mr. George Scharf, in a paper printed in the *Archæological Journal*, xxiii, 131, to be the subject of a well-known and repeatedly engraved picture, assigned by him to Isaac Olivier, but previously supposed to have been by Marc Gheeraedts, and to have represented the Queen's visit to Lord Hunston. Such was the opinion formed by Vertue, as the result of his investigations when engraving it for his *Historic Prints*, and announced rather too confidently in the lettering. Lord Digby, the owner of the picture in Vertue's time, called it the Procession to St. Paul's after the destruction of the Armada: but Mr. Scharf has satisfactorily identified it with the marriage procession now under notice. The central figure in the foreground, carrying a pair of gloves, apparently for a present, is the bridegroom's father, Edward, fourth Earl of Worcester. The bridegroom is one of the six knights carrying the Queen's litter—the hindmost on her left hand—or (with reverence be it spoken) occupying the position, which, if the knights had been horses drawing a coach, would have been that of the near wheeler—and immediately behind him is his bride. By the death of her grandfather, the Earl of Bedford (her father having died without male issue in his lifetime), she became the representative of the elder line of the house of Russell, whose arms the family of Somerset are thus entitled to quarter, the Earldom and estates devolving on her cousin, Edward Russell, as heir male. As issue of this marriage, there were nine sons, five of whom died young, and three daughters.

ON

ON the accession of James I, the subject of our memoir was summoned to parliament, as Lord Herbert of Chepstow, in accordance with the practice, not uncommon in modern times, of calling up to the house, the eldest sons of peers by their fathers' baronies. Little is heard of him, either in court or parliament during the remainder of this reign. In the early years of that of Charles I, Lord Herbert appears to have laid himself open to some suspicions of his loyalty, of which his subsequent career furnished so noble a vindication. On the 17th November, 1625, we find from the Calendar of State Papers (Domestic Series) Mr. Secretary Conway sending to Lord Keeper Coventry the names of the lords that are to be disarmed, with particular remembrances for the Marquis of Winchester, and the Lord Herbert.<sup>1</sup> On the 13th December following, the Bishop of Hereford reports to the council that, as directed, he has waited upon Lord Herbert, and requested him to deliver up his arms: he replied that he was very sorry that his loyalty was called in question, but as to arms he had none, having never bought any but what he ventured to sea, where he was robbed of them by Turks and pirates. On the same date Lord Herbert writes to the Council, from Ragland, that in those parts he had no house of his own, but lived as a servant to his father, subject to be removed at his pleasure, and was not charged with any arms. His object in buying arms and venturing them to sea is not explained: but his movements about this period seem to have been watched by the government. On the 12th February, 1626, there is a letter, abstracted in the same Calendar, from Anne, Lady Herbert, to the Earl of Northampton, written from Ragland, in which she says that Lord Herbert stayed about fourteen days after his father, the Marquis of Worcester (see in Calendar) to make up the certificate for the loans, which the Justices would not have agreed upon at all if he had not stayed: and she adds that the weather was such as none but the Lord Privy Seal would have travelled in.

IN the following year a more compromising incident occurred, the particulars

<sup>1</sup> In 1640 he was in the special confidence of the King, who on the 17th July wrote to John Earl of Bridgwater President of the Marches of Wales, directing him to charge the deputy-lieutenants and other officers of the counties of Hereford, Monmouth, Brecknock, Glamorgan, Radnor, Carmarthen, and Pembroke, to aid the Earl of Worcester, who has been entrusted with some secret service, whenever called upon by him to do so. (Cal. State Papers, Dom. Ch. I, 1640, p. 483.) And the deputy-lieutenants of Pembroke on the 10th of the following month, reporting to the Earl of Bridgwater on the subject of the Musters, add—"We further make known to you that according to your last touching the Earl of Worcester's Commission we have required all officers to attend to the execution thereof" (Ibid. p. 600).—ED.

particulars of which may be gleaned from the same Calendar of State Papers. On the 11th July, 1627, William, Lord Petre, complains by letter to Secretary Conway that his younger son, having a licence to travel, was sent under charge of Richard Mico, to be conducted to an elder son of Lord Petre, who had been long abroad, and was then at Paris—that being long detained at Dover by the closing of the ports, Mico procured an acquaintance to undertake his charge for him—and that on their endeavour to cross, both were arrested. Lord Petre represents the circumstances to Secretary Conway, and sends Mico as the bearer of his letter. A different version of the affair appears three days later in a report from Lord President Manchester to the King, of the proceedings of the Council. A younger son of Lord Herbert and a younger son of Lord Petre had been stayed at sea, crossing to Calais with counterfeited passes, and under the governance of Stamford, a Jesuit: the youths were sent to the Bishop of London, the others to several prisons. On the 17th July the Lord President sends to Secretary Conway the original examinations of the doer and one of the procurers of the counterfeit passes. The examination of John Coytmore states that Robert Curtis applied to him for a pass for a Mr. Petre, and afterwards for one for Mr. Somerfet. For the former he gave him twenty nobles, for the latter £5. They were written by scriveners in Westminster, and the Lords' hands counterfeited by himself. The seals were taken from other cancelled letters. Curtis, in his examination, states that he was solicited by one Mico, servant of Lord Petre, to procure the passes, and received for them from Mico, £20 and £10. He denies that he knew them to be counterfeited. With this new light thrown on the relations of Mr. Mico with his acquaintance Stamford, the Lords of the Council seem to have been desirous of further communication with the former: for on the 25th July, Lord Petre writes to the Council that he has sent a servant with the bearer of their letter to his house in London to find and carry Mico before them. He was probably unsuccessful: for we find no further proceedings in the Council on the subject. On the 20th July the Lord President, in reporting to the King the proceedings in relation to Mr. Somerfet and Mr. Petre, mentions that two other sons of Lord Petre had been committed by Sir John Hippsley at Dover for refusing the oath of allegiance.

At no period does there appear to have been any suspicion of the loyalty of Lord Herbert's father: but even the son was, notwithstanding the circumstances above noticed, retained by the government in a position of responsibility.

On

On the 28th July, 1627, we find letters from the King, addressed to Edward, Earl of Worcester, and Henry, Lord Herbert, as Lord Lieutenants of the counties of Glamorgan and Monmouth, and there are both previous and subsequent entries in the Calendar of State Papers, shewing Lord Herbert's active performance of the duties of his office. On the 13th of March, 1627-8, which would be ten days after the death of his father had raised him to the Earldom of Worcester, he obtained a dispensation to be absent from parliament (Dircks, p. 8). This was the third parliament of Charles I, about to meet on the 17th of March, and the last previous to the fatal experiment of endeavouring to rule without parliamentary control. Perhaps the Earl of Worcester felt himself, from the circumstances noticed above, to be an object of suspicion: perhaps he foresaw the coming storm: perhaps natural indisposition for parliamentary life induced him to seek at his stately home at Raglan, a career more suited to his tastes. He was then about fifty-one years of age, described as "of a plethoric constitution, and subject to gout, but of a joyous, hearty, kind, and benevolent disposition, and of some learning, without being distinguished for its application"—to which we may add that he was a noted wit, according to the fashion of those days, whose wise sayings, under the title of Apophthegms, have reached posterity in two publications, in one of which they are recorded by his chaplain, Dr. Bayly<sup>1</sup> (for notwithstanding the Earl's religion, he had a protestant chaplain, or one who passed as such), and in the other he figures in partnership with several royal and noble authors.<sup>2</sup> Retired from public affairs, and in the enjoyment of all the luxuries afforded by art or nature, among which we may particularize the possession of a splendid library, the eventual sacrifice of which to the fury of the times is an irreparable loss to Monmouthshire, he might have left no other record than these to interest posterity, but for the political storm which involved him and his house in common ruin with his sovereign and the state.

HITHERTO we have attempted to keep distinct our notices of the successive generations of the Lords of Striguil; but in relating the events of this period it is impossible to notice, even slightly, the history of the Earl of Worcester, except

<sup>1</sup> Worcester's Apophthegms, or Witty sayings of the Rt. Hon. Henry, late Marquis and Earl of Worcester, by T. B., 12mo., London, 1650.

<sup>2</sup> Witty Apophthegms, delivered at severall times, and on severall occasions, by King James, King Charles, the Marquess of Worcester, Francis Lord Bacon, and Sir Thomas Moore; fm. 8vo., London, 1658.

except in connexion with that of his eldest son, Edward, bearing of course at this period the courtesy title of Lord Herbert. He was born, it is believed, early in 1601, and in 1628 married Elizabeth, daughter of Sir William Dormer. She died on the 31st May, 1635, leaving her husband the father of three children, Henry, his eventual successor, and two daughters, and in 1639 he took for his second wife Margaret, second daughter and coheirs of Henry O'Brien, Earl of Thomond, an alliance which, from the connexion it brought with some influential families in Ireland, is worth bearing in mind in relation to the most remarkable event in his political career. His mother, Anne, Countess of Worcester died on the 8th of April, in the same year. Such was the state of the family at the breaking out of the Civil war.

IN January, 1639, the King had ruled for ten years without a parliament, and on the 26th of this month a circular was issued to the nobility, announcing his intention to lead an expedition against the Scots, appointing a rendezvous at York, and asking the assistance of the noblemen addressed. Second only to Wentworth, who subscribed £2,000, and invited His Majesty to command all he had beyond it, the Earl of Worcester promised £1,000, and to send his son and heir, Lord Herbert, to the rendezvous, with twenty horse. On the 13th of April following, the King's fourth parliament assembled, after an interval of eleven years; but it was only for an abortive existence of three weeks, when it was dissolved, and was succeeded by the Long Parliament, on the 3rd November, 1640. On the 29th of January following, it was "Ordered that the consideration of the commission granted to the Earl of Worcester and his eldest son, Lord Herbert, and the sub-commissions by them granted to others, for the levying of forces in several counties of England and Wales, and all the circumstances depending thereupon, be referred to a committee." On the report of the committee, on the 11th of February, it was "resolved that the particulars reported . . . shall be the heads of the conferences, to be desired with the lords, concerning the disbanding of the new levied Irish army, and the disarming of the Popish Recusants here in England." On the 16th of November, 1641, a committee was appointed "to go immediately and take order to set a good guard upon the house of the Earl of Worcester, and to search for persons suspected of high treason." And in August following we find messages between the two houses of parliament as to "disarming the Earl of Worcester and all papists."

FROM the first then the attitude of the Earl and his son was clearly defined

defined. The former, with enthusiastic and uncalculating loyalty, was ready from time to time to devote his substance to his sovereign's service, though from bodily infirmity compelled to hand over to his son the duty of leading his forces to the field—the latter, with loyalty as enthusiastic, but perhaps with more ambitious views of family advancement, attaching himself to the King's person, and becoming, not only one of the principal leaders of the royal forces, but the King's most trusted confidant and emissary. In January, 1642, the King writes to the Earl, expressing gratitude for his loyalty and mentioning that his son, Lord Herbert, was then commanding in chief, in the absence of the Lord Marquis of Hertford. In the same year, Lord Herbert was appointed General of South Wales and Monmouthshire, and General of the King's Horse. For some time, though actively engaged in organizing the King's military forces, he contrived to avoid any act which could bring him into collision with the parliament; but when he received the King's commission of array, issued in answer to the steps taken by the parliament for assuming the direction of the militia, Lord Herbert formally intimated his acceptance of it to both houses, asserted, in opposition to them, the legality of the King's commission, and in eight days, according to his own memorandum, raised six regiments, fortified Monmouth, Chepstow, and Raglan, and took and garrisoned Cardiff, Brecknock, Hereford, and Goderich Castle. Between the 28th of February, 1641, and the autumn of the following year, the Earl of Worcester had, at various times, advanced to the King, on his note, in ready money, bills, and assurances, £95,500, and had given him, in cash and plate, £27,000 more, the principal portion of which was dispensed through his son (Dircks, p. 58). Ready as the Earl was to give, His Majesty was quite as ready to receive; and of the means by which he extracted these vast sums from his confiding friend, we have a curious picture in a conversation with Lord Herbert, at Nottingham, fifteen days after the royal standard had been raised at that town. The King directed him to convey a message to his father; and that there might be no mistake about it, Lord Herbert, either at the King's suggestion, or as a precaution suggested by his own prudence, reduced it to writing, in the form of a memorandum addressed to the King himself:—"That your Majesty, with many thanks, expresseth himself most sensible of the great expence and charge his Lordship hath been at for your service, far more than any man else . . . . . that much lieth at stake, both of your Majesty's honour and power, for want of a little money, since £20,000 with what you have, would further your Majesty's designs to a most hopeful condition . . . . . yet

... yet no want or occasion can make your Majesty to prefs my lord who hath already done so much, but if he and his friends could procure £10,000, your Majesty would suddenly, if it please God to restore you, see it repaid, and would presently, in token of thankfulness, send my father the Garter, to be put on when he pleased, and also, having the Great Seal in your Majesty's own custody, you would pass a patent of Marquis, of what title my father should desire, and keep it private as long as he thought fitting—and, to shew that this proposition is far from urging him to his inconvenience, and so much doth your Majesty acknowledge yourself already beholding to him as that, even without procuring your Majesty this unspeakable advantage, your Majesty is graciously pleased that if he desire either or both these, your Majesty, at my return unto you will vouchsafe them ; but if this could be possibly performed, then the crown, which hitherto your Majesty confesseth to stay upon your head by his assistance, will be then confirmed by him . . . . And your Majesty doth not only faithfully promise, on the word of a King, but of a Christian, that you will faithfully perform your engagements advantageously to him and his, and never forsake either whilst you breathe," &c. (Dircks, p. 44). This conversation was on the 9th of September, 1642, and on the 2nd of November the Earl was created Marquis of Worcester.

CLARENDON, who speaks of the Marquis as reputed the greatest moneyed man of the kingdom, adds the ill natured remark that "he probably might not think it an unthrifty thing rather to disburse it for the King, who might be able to repay it, than to have it taken from him by the other party, which would be hardly questionable if they prevailed" (Hist. Reb., ii, 287). From first to last the King acknowledged his pecuniary obligations to the Marquis to the amount of a million crowns, which has been understood as meaning £250,000 : but as the English crown was never money of account, it was probably a phrase of the Queen, and meant French crowns, equal to nearly £167,000. In addition to the forces raised for the general service of the King, amounting to 1500 foot and 500 horse, under the command of his eldest son, he strengthened the fortifications of Raglan, and garrisoned it with 300 men, afterwards increased to 800, maintained at his own cost, until it was eventually surrendered to Fairfax, one of the last, if not the very last,<sup>1</sup> of the

<sup>1</sup> Pendennis Castle is generally spoken of as the last ; but, according to Sprigge's *Anglia Rediviva*, it surrendered on the 17th, and Raglan on the 19th August, 1646. He entitles his last chapter, "The reduction of Ragland Castle and Pendennis," forgetting that in a case like this the post of honour is in the rear.



the fortresses which stood for the cause of Charles I. Here, after the fatal battle of Naseby, the unfortunate monarch took refuge, and between the 3rd of July and the 15th of September, 1645, he made three visits, respectively of thirteen, six, and eight days' duration. The anecdotes of these visits, and the conversations of the King with his garrulous host, have been worn too threadbare for reproduction. They are all traceable to his chaplain, Dr. Bayly, who, in addition to his book of Apophthegms, published a work,<sup>1</sup> in which he is suspected of having made an imaginary conversation the vehicle for the promulgation of his own opinions, and which gave rise to some controversy at the period of its issue. The siege of Raglan Castle was terminated on the 19th of August, 1646, by a surrender to Fairfax, the principal terms of which were that the officers, gentlemen, and soldiers of the garrison, with all other persons therein, should march out, with their horses and arms, with colours flying, drums beating, trumpet sounding, matches lighted at both ends, bullet in their mouths, and every soldier with twelve charges of powder, match, and bullet, and bag and baggage, to any place within ten miles of the garrison, where, in respect his Majesty had no garrison in England, nor army anywhere within this kingdom and dominion of Wales, their arms should be delivered up to such as his Excellency should appoint to receive them, where the soldiers should be disbanded, and that all, both officers, gentlemen, and soldiers, should have the benefit of the articles ensuing, except persons excepted from pardon and composition: and the remaining articles accordingly provide for safe conduct and protection, for a limited period, to all persons comprized in the capitulation. The Marquis marched out accordingly, accompanied by his daughter-in-law, his son, Lord Charles Somerset, who had been considered the Governor of the Castle, and various other relatives and friends, four colonels, eighty-two captains, sixteen lieutenants, six cornets, four ensigns, four quartermasters, and fifty-two esquires and gentlemen, with all the honours of war, but with little security for his personal safety. His immediate arrest has been repeatedly represented, by means of a partial quotation of the articles of surrender, to have been a violation of its terms: but vindictive and uncalled for as the measure was towards a nobleman, against whom, beyond his religion, and the gallant discharge of his military duty to the King, no ground of offence

<sup>1</sup> It was entitled *Certamen Religiosum*, or a Conference between Charles, King of England and Henry, late Marquis and Earl of Worcester, concerning religion, at his Majesty's being at Raglan Castle, 8vo. London, 1649. Dr. Bayly, if not at this time an avowed Roman Catholic, subsequently became one.

offence towards the parliament was ever charged, it must be admitted that it was covered by the exception above quoted. It appears from the correspondence preceding the surrender, and which is printed at length in the *Anglia Rediviva*, of the parliamentary chaplain, Sprigge (pp. 292 and seq., ed. 1647), that the Marquis, from the first, understood this to be the intention of the terms offered him by Fairfax, who only professed to grant to his lordship and family quiet and security from all violence of any that belonged to him (Fairfax), and urged a present surrender and submission to the mercy and favour of Parliament, as likely means of receiving the better terms : and when Fairfax was expressly asked whether, if any conclusion should be made, the Marquis would afterwards be left to the mercy of the Parliament, for alteration at their will and pleasures, he answered that he could only give this resolution, that what he granted he would undertake should be made good. It can scarcely be said therefore that there was a breach of faith when the Marquis was arrested. He was sent to London, and committed to the care of the Black Rod, in whose custody he closed his days within a period of four months.

THE precise day of his death is not known. On the 20th of December, the parliament, which had already ordered the demolition of Raglan, and the confiscation and sale of his estates, debated the question of allowing, out of the proceeds, £500 for his funeral. A majority of one hundred and sixty-eight against ninety-two determined in favour of this act of munificence, and the Marquis was interred in the Beaufort Chapel, at Windfor (to give it the name it subsequently acquired), indebted to the Parliament for what he described as a better castle when he was dead than they had taken from him while he was alive.

THERE are several portraits of him. That in the Procession of Queen Elizabeth has been already mentioned. Another, by Faithorne, furnishes an illustration of what is above written as to the promise of the Garter. Horace Walpole, in his Catalogue of Engravers, describes it as "Henry Somerset, Marquis of Worcester, in armour, with a truncheon : " and says he has a proof of it, on which the titles are finely written by Faithorne himself ; otherwise the plate had no inscription : and in a note he adds :—"This print has the Garter, though it was never given to the Marquis. Probably it was promised, and the plate wanting the title looks as if Lord Somerset died before  
before

before it was finished, and before the promise could be completed, through the misfortunes both of the King and the Marquis. I once took this for a print of his son, Edward, and so did Vertue; but it is evidently copied from an older print, done when Henry was only Earl, and which has his name, and was sold by Stent. In that print there is much less appearance of a ribband—so small a bit that it might not be intended for the Garter, and Faithorne, by mistake, might supply the rest and the George, as he has done" (p. 62, Strawberry Hill ed.). Caulfield's Chalcographiana specifies, among Faithorne's works, a folio print of Edward Somerset, Marquis of Worcester, which he values at £28, the name being no doubt a renewal of the mistake above noticed, Granger having fallen into the same error.

## CHAPTER X.

## THE CROMWELLS.



THE personal history of the first Marquis of Worcester was more immediately connected with Raglan than with Chepstow Castle, the subject of our memoir. The former was defended at the private charge of the Marquis; the latter was garrisoned for the King as part of the general military operations. It was within the command of Lord Herbert, as General of South Wales and Monmouthshire, and on the 28th of March, 1643, he writes to Captain Thomas Morgan, the captain of the train band at Chepstow, a letter, preserved in the Caerleon Museum, and given in facsimile in Mr. Lee's *Ifca Silurum*, directing him to remain there, and not to permit any of the firearms to go out of the town, but to dispose two of the four pieces of ordnance there for the defence of the town of Monmouth. This letter, which is dated from Ragland, and signed "Ed Herbert," is particularly mentioned here, because in Mr. Lee's work (p. 121) it is erroneously ascribed, on the authority of Mr. Wakeman, to one Edward Herbert, an active parliamentarian, of Merthyr Gerin Grange in Magor. There was indeed such a person, an Independent, described as Cromwell's right hand, and his tenant of part of the Marquis of Worcester's confiscated estates: but this letter is clearly written by Lord Herbert, as is evident, not only from its being actually dated from Ragland, but from the comparison of his handwriting with that given at p. 77 of Mr. Dircks' memoir, and the historical fact that Chepstow was not at this date in the possession of the roundheads. Monmouth  
surrendered

surrendered to the parliamentarians, under Sir William Waller, on the 1st of April, and Major Throckmorton was left in command of a garrison. Thence he brought a party shortly afterwards, and took Chepstow by surprise, but in a few hours was surprized in his turn, and it was retained by the royalists for two years and a half, until, in October, 1645, Colonel Morgan, the parliamentary Governor of Gloucester, at the head of three hundred horse and four hundred foot, and assisted by the mountaineers, made himself master of the town, and in a few days compelled the Governor, Colonel Fitzmorris, to surrender the Castle. In May, 1648, Sir Nicholas Kemeys and some other gentlemen of the county, by the treachery of an officer of the garrison, obtained possession of the western gate in the night, and, after a slight resistance, took the garrison prisoners, and re-garrisoned the Castle, for the King, with one hundred and sixty men. On the 10th, Cromwell marched against it in person, from Monmouth, obtained possession of the town, and summoned the Castle to surrender; but Sir Nicholas Kemeys refused, and Cromwell, being unprovided with artillery, marched westwards, leaving Colonel Ewer, with seven companies of foot and four troops of horse, to prosecute the siege. The garrison had refused to surrender, though their provisions were exhausted, hoping to escape by means of a boat, which they had provided; but a soldier of the Parliamentary army swam across the river, with a knife between his teeth, cut the cable of the boat, and brought it away. The further details may best be told in the words of Colonel Ewer's report to Parliament, dated the 28th of May, 1648:—"Lieutenant General Cromwell, being to march towards Pembroke Castle, left me, with my regiment, to take the Castle of Chepstow, which was possessed by Sir Nicholas Kemish, and with him officers and soldiers to the number of 120. We drew close about it, and kept strong guards upon them, to prevent them from stealing out, and so to make their escape. We sent for two guns from Gloucester and two off a shipboard, and planted them against the castle. We razed the battlements of their towers with our great guns, and made their guns unuseful for them. We also played with our shorter pieces into the castle. One shot fell into the governor's chamber, which caused him to remove his lodgings to the other end of the castle. We then prepared our batteries, and this morning finished them. About twelve of the clock we made a hole through the wall, so low that a man might walk into it. The soldiers in the castle perceiving that we were like to make a breach, cried out to our soldiers that they would yield the castle, and many of them did attempt to come away. I caused my soldiers to fire at them, to keep them in.

Esquire

Esquire Lewis comes upon the wall, and speaks to some gentlemen of the county that he knew, and tells them that he was willing to yield to mercy. They came and acquainted me with his desire, to which I answered that it was not my work to treat with particular men, but it was Sir Nicholas Kemish, with his officers and all his foldiers, that I aimed at. But the governor refused to deliver up the castle upon these terms that Esquire Lewis desired, but desired to speak with me at the drawbridge, while I altogether refused to have any such speech with him, because he refused Lieutenant General Cromwell's summons. But being over persuaded by some gentlemen of the county that were there, presently I dismounted from my horse, and went unto the drawbridge, where he, through the port hole, spake with me. That which he desired was, that he, with all his officers and foldiers, might march out of the castle, without anything being taken from them; to which I answered, that I would give him no other terms than that he, and all that were with him, should submit unto mercy, which he swore that he would not do. I presently drew off the soldiers from the castle, and caused them to stand to their arms; but he refusing to come out upon those terms, the soldiers deserted him, and came running out at the breach we had made. My soldiers, seeing them run out, ran in at the same place, and possessed themselves of the castle, and killed Sir Nicholas Kemish, and likewise him that betrayed the castle, and wounded divers, and took prisoners as followeth, Esquire Lewis, Major Thomas, Captain Morgan, Captain Buckefwell, Captain John Harris, Captain Christopher Harris, Captain Mancell, Captain Pinner, Captain Doule, Captain Rosfitre, Lieutenant Kemish, Lieutenant Leach, Lieutenant Codd, Ensign Watkins, Ensign Morgan, with other officers and foldiers to the number of 120. These prisoners we have put into the church, and shall keep them till I receive further orders from Lieutenant General Cromwell."

ABOUT forty of the garrison, beside Sir Nicholas Kemeys and the other officer mentioned in Colonel Ewer's report, were slain in the assault. The breach is stated by Mr. Wakeman, from a comparison of whose account with that of Archdeacon Coxe, and the official report, these particulars are given, to have been in the curtain wall, between Harry Marten's tower and the next above, and still discernible from the difference in the masonry, where the damage had been repaired. The taking of the castle was considered by the parliament as so important, that the captain who brought the news was rewarded with £50, and a letter of thanks was sent to Colonel Ewer and the

the officers and foldiers engaged in that fervice. There is a letter from Cromwell to Major Saunders, dated 17th June, 1648, printed in Harris's Life of Cromwell, and reprinted in Noble's Houfe of Cromwell, Williams's Monmouthfhire, and elfewhere, in which he fays, 'there was plain difcovery that Sir Trevor Williams of Langebie was very deep in the plot of betraying Chepftow Caftle, and directs the feizure of him and of Mr. Morgan, the High Sheriff of Monmouth, expreffing great anxiety to have his orders carried out.

OLIVER Cromwell had more than a public intereft in all that concerned Chepftow Caftle. In the year 1645, the caftle and park of Chepftow, with the Chafe of Wentwood, and other eftates of the Marquis of Worcefter, the particulars of which we fhall have to notice prefently, had been confifcated and fettled by the parliament on the Lord General, as a reward for his fervices. In April, 1648, he was in treaty for the marriage of his fon, Richard, with Dorothy, daughter of Richard Major; and in a letter to his friend, Colonel Richard Norton, who feems to have been his negociator in the matter, he writes:—"In point of jointure, I fhall give fatiffaction, and as to the fettlement of lands given me by the parliament, fatiffaction to be given in like manner, according as we difcourfed . . . . Truly the land to be fettled, both what the parliament gives me and my own, is very little lefs than £3000 per annum, all things confidered, if I be rightly informed. And a lawyer of Lincoln's Inn, having fearched all the Marquis of Worcefter's writings (which were taken at Ragland, and fent for by the parliament, and this gentleman appointed by the committee to fearch the faid writings) affures me there is no fcruple concerning the title: and it fo fell out that this gentleman, who fearched, was my own lawyer, a very godly, able man, and my dear friend, which I reckon no fmall mercy. He is alfo poffeffed of the writings for me." I would not be underftood as difparaging the importance of religious principle, in eftimating a man's character in any relation of life: but gentlemen, who make what the writer of this letter underftood by godlinefs the firft confideration in choofing their lawyers, may chance to find themfelves faddled with a bad title. The cafe of Oliver Cromwell was no exception: for his legal friend had made a fad flip, in overlooking two family fettlements, dated refpectively the 3rd June, 1627, and 10th November, 1631, by which, while various manors and lands were fettled on Henry, then fifth Earl of Worcefter, for life, with remainder to his fon, Edward, in tail, other manors and lordships, comprizing the lordships of Chepftow, Barton, and Hardwick, eftimated in the parliamentary report,

to

to be presently noticed, at £510 1s. 10d. per annum; the borough of Chepstow, £68 13s. 8d.; Frith Wood, near Chepstow, £100; the lordship of Tidenham, £356 3s. 11d.; and the feignory of Gower, £672 15s. 9d., making a total of £1707 15s. 2d. per annum, all of which formed part of the parliamentary settlement on the Lord General Cromwell, had been limited to what were then, and still are, the usual uses in strict settlement, the effect of which (avoiding technical details) was to give successive life estates, to Earl Henry and his son Edward, with remainder in tail to the latter's son, Henry, who, on his grandfather's death, was known by the courtesy title of Lord Herbert. The "delinquency" of the Marquis of Worcester and his son was beyond question, but the young Lord Herbert was only about sixteen years of age at the time of the confiscation of his grandfather's estates, and, under some influence which is still unaccounted for, from the time when he began to take part in public affairs, he espoused the cause, in resistance to which his family had made such sacrifices, and actually sat in Cromwell's parliament and Council of State, and shewed his conformity with the religion of those in power, by attending service in the chapel at Whitehall.

At the death of the first Marquis of Worcester, Cromwell was in full possession of Chepstow and the other estates settled on him. It does not appear at what period he first became aware of the rights of the young heir, the knowledge of which was the single thorn in the bed of roses provided for the Lord General by the liberality of parliament. We cannot avoid suspecting that he may have had his private reasons for acquiring a personal influence over Lord Herbert, and that such influence, however acquired, may have been connected with his divergence from the principles, as well in religion as in politics, of his father and grandfather. Cromwell is said to have allowed him a liberal income, and was evidently on terms of some intimacy with him; for on the 12th of April, 1651, the former writes, from Edinburgh, to his wife:—"My dearest, beware of my lord Herbert his resort to your house; if he do so may occasion scandal, as if I were bargaining with him. Indeed be wife. You know my meaning" (Dircks, p. 210). But at this period the discussion of the question of Lord Herbert's rights, as Cromwell knew, could no longer be postponed. The first Marquis of Worcester's estates had been confiscated in 1645; and on the 14th of March, 1648-9, there was a further proscription, by a resolution of the House, That Charles and James Stuart, sons of the late King, and various others, among whom it was resolved that the  
Earl



Earl of Worcester be one (his title of Marquis not being recognized), and all that had been plotting, designing, and assisting in the Irish rebellion, should die, without mercy, wherever they should be found within the limits of this nation, and their estates employed in the use of the Commonwealth. A bill was now before parliament for the sale of the confiscated but unsold estates; and eleven days after Cromwell's letter to his wife a petition from Henry, Lord Herbert, was read to the house, and it was "Ordered that it be referred to a committee to consider what interest the petitioner hath in any of the lands, late the Earl of Worcester's, settled by act of parliament on the Lord General, and the value thereof, and to report the whole state of the business to the parliament, and in case they find the petitioner hath any good title to any of the said lands, that then they bring in a proviso for excepting out of sale by this act so much of the lands of the said Earl, now in the power of the parliament to dispose of, as may be of like value, to be disposed of as the parliament shall see cause." But it would seem that a forlorn attempt was made to meet the claim with a charge of delinquency against the claimant himself; for the appointment of the committee is followed by an order, "That the business of the delinquency of the Lord Herbert of Raglan, as to the matter of fact, be referred to this committee, to send to the commissioners at Goldsmiths' Hall for what evidence they have against him, and to report the state of the business touching the delinquency charged on the said Lord Herbert,<sup>1</sup> to the parliament." There is nothing however to connect Cromwell with this attack. The Committee's report said nothing about delinquency, and was in favour of Lord Herbert's reversionary title to Chepstow, and the other lands, above mentioned as of the annual value of £1707 15s. 2d., and they also reported that certain other estates, in the counties of Monmouth, Berks, Westmoreland, and Hereford, the annual values of which are particularly specified, amounting together to the sum of £1700 12s. 10d., were settled upon the Earl of Worcester and the heirs male of his body, with divers remainders over, all which said manors and lands were forfeited for treason of the said Earl, and were in the power of the parliament to settle or dispose of. The report was discussed on the

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<sup>1</sup> It is possible that his father may have been the person referred to. There could be no doubt that he was Earl of Worcester; but as he had abandoned that title in his father's life time for that of Earl of Glamorgan, and the parliament did not recognise either that title or his father's marquise, they seem to have occasionally spoken of him as Lord Herbert. In the act quoted below he is referred to as "Edward Lord Herbert, of Ragland, now called Earl of Worcester." We have noticed that he is styled Earl of Worcester in the act of proscription above quoted.

21st of May, 1651, when the propofal to "take into debate the bufinefs of delinquency, concerning the Lord Herbert of Raglan," was negatived, and it was "referred to the commiffioners for compounding, to proceed touching the point of delinquency charged on the Lord Herbert of Raglan, and give judgment thereon, and to report their judgment and the grounds of it to the parliament forthwith." No trace of fuch report is found, but its purport may be inferred from the Act for fale of the forfeited eftates, which was paffed on the 16th of July following, and is printed in Scobell's Acts and Ordinances. It provides that "this prefent act . . . . . fhall not extend to the manor of Pellenny, the manors of Monmouth and Wyfham, the manors of Purcaffeck and Trellect's Grange, the manors, caftles, and demeafns of the manors and caftles of Grifmond, St. Kenfreth, Monmouth, and White Caftle, the lands and tenements called Bettus and Perllloyd, all which are in the county of Monmouth, nor to the manor of Crookham, in the county of Berks, nor to the manor of Kendal, in the county of Weftmerland, nor to the manors of Shobden and Pofton, in the county of Hereford, but that the fame (the lands reputed parcel of the faid manors of Purcaffeck and Trellect's Grange, or one of them, called Crymlands, formerly granted or intended to be granted in the hereafter mentioned act to Oliver Cromwell and his heirs, only excepted) . . . . . fhall be and remain, for and during the natural life only of Edward, Lord Herbert, of Ragland, now called Earl of Worcefter, as forfeited unto the Commonwealth, and for and during the life of the faid Edward fhall and may be difpofed of by virtue of this act, and immediately from and after the death of the faid Edward, or other the determination of that particular eftate during his life, the fame fhall remain and be unto Henry, called Lord Herbert, fon and heir apparent of the faid Edward, and unto his heirs, which faid manors and premifes, eftimated to be of the yearly value of £1700 12s. 10d., fhall from henceforth, as a remainder only, and not to take effect in poffeffion till after the death of the faid Edward . . . . be and remain unto the faid Henry, called Lord Herbert, and his heirs, in lieu and recompence of all fuch right, or pretence of right, as the faid Henry, called Lord Herbert, hath, or any his heirs or iffues may have, of, in, or to any the manors, lordfhips, lands, tenements, and hereditaments hereinafter mentioned, that is to fay, the manors of Chalton, alias Chanton, Clanfield, Catherinton, and Blendworth, in the county of Southampton, . . . . . the advowfons and rights of patronage to the churches of the parifhes of Chalton, alias Chanton, Clanfield, Catherinton, and Blendworth . . . . . and all other the manors, lands, &c., . . . . of Henry

Henry, late Earl of Worcester, Edward, Lord Herbert, Sir Charles Somerfet, and Sir John Somerfet, or any of them, within the said county of Southampton, the manors of Tydenham and Wollaston, situate, lying, and being in the county of Gloucester, with their and every of their rights, members, and appurtenances, the advowsons and rights of patronage of the churches of the parishes of Tydenham, Wollaston, and Alvington, in the said county of Gloucester, the several and free fishings and wears in the Rivers of Wye and Severn, in the said county of Gloucester, the manors and lordships of Chepstow, alias Stragul, alias Struggle, Barton, alias Pentherry, Hardwick, St. Kynmarks, and Crymland, with their and every of their rights, members, and appurtenances, in the county of Monmouth, the advowsons and rights of patronage of the several churches of the several parishes of Chepstow, Pentherry, St. Arvans, Newchurch and Lamham, in the said county of Monmouth, . . . . . the lands, tenements, and hereditaments, called or known by the name of Chepstow Grange . . . . . in the said county of Monmouth, the lands, tenements, and hereditaments, called or known by the name of Frythewood and Barnets-Wood, . . . . . lying and being in the parishes, fields, and territories of St. Arvan, Howick, Newchurch, Chepstow, and Mathern, some or one of them, in the said county of Monmouth, the manors or lordships of Magor Regis, Redwick, Moor's Court, Miles Court, Marthering Ringes, alias Marthingeringes, Grange, . . . . . in the said county of Monmouth, the advowsons and rights of patronage to the churches of the several parishes of Magor and Redwick . . . . . and also the manors and lordships of Anglicana Gower, Wallicana Gower, Swanfey, Kilvey, Supraboscus, Subboscus, Oyftermouth, Pennard, Lougher, Kythal, alias Kitle, Trewithrah, alias Triveday, and Lunnon, alias Ilston, . . . . . in the county of Glamorgan, and also the advowsons and rights of patronage to the churches of the several parishes of Gower and Swanfey . . . . . all which, together with all privileges, powers, freedoms, rights, liberties, and immunities granted, mentioned and expressed in one act, made this present parliament, entituled,<sup>1</sup> "An Act for settling certain manors and tenements upon Oliver Cromwell, Lord Lieutenant of Ireland, and his heirs," are, by authority of this present act, discharged of all pretence of right, made or to be made by the said Henry, called Lord Herbert, and it is hereby ordained and enacted that the said former act stand and be in all things ratified and confirmed, and that the said Oliver Cromwell his heirs and assigns, and such person and persons to whom he hath made any conveyance or assurance of the premises, or any part

<sup>1</sup> I have not found this act in Scobell's Collection.

part thereof, since the 7th day of February, A.D. 1645, according to the effect and meaning of such conveyance, shall hold and enjoy the manors, lands, tenements, and hereditaments last above mentioned, according to the said recited or mentioned act, and with the respective discharges, advantages, savings, and provisions in the said recited act contained, and further discharged of all and every the estate, right, title, interest, claim, reversion, remainder, and demand whatsoever of him the said Lord Herbert, or of the heir or heirs of the body, or heirs male of the body, or issues of the body, of him the said Henry, Lord Herbert, and also discharged of all such estates, rights, titles, charges, remainders, possibilities, expectancies, and demands whatsoever, which he the said Henry, Lord Herbert, by any common recovery duly had against him, as tenant or vouchee, or by any other means could, might, or may, or can cut off or bar, in case no such forfeiture had been, And that whereas the said Henry, Lord Herbert, hath propounded his readiness and willingness, in respect of the said recompence, to do or consent unto any act for the further assuring of the premises so as aforesaid settled upon the said Oliver Cromwell, and in pursuance thereof he the said Henry, Lord Herbert, hath, by his deed under his hand and seal, confirmed the premises to the said Oliver Cromwell and his heirs, It is hereby further enacted that the same deed of confirmation, according to the purport thereof, shall in all things stand firm and binding unto the said Henry, Lord Herbert, and his heirs for ever, saving to all and every person and persons, bodies politique and corporate, their heirs and successors (other than the said Henry, Earl of Worcester, and Edward, Earl of Worcester, Sir Charles Somersfet, and Sir John Somersfet) and all and every person and persons having any estate in the premises hereby settled upon the said Lord Herbert, by, from, or under them or any of them, since the 20th day of May, A.D. 1641, and other than the estate and title accrued to the Commonwealth, all such estate, right, title, or interest, as they had or might have in the premises by this present act, settled as aforesaid upon the said Henry, Lord Herbert, as if this act had not been had or made."

THE Lord General Cromwell was thus left in undisturbed possession of his estate. It appears from a subsequent report of the Committee, if read in connection with other proceedings of Parliament in 1646 (see Dircks, pp. 193, 205), that Lord Herbert's reversionary right extended to certain houses and lands in London, Westminster, Stepney, and Acton of the estimated annual value

value of £786, which had been sold by Parliament to William Pennoyer and Richard Hill for £12584 12s. od.: and it was probably in relation to this property that Lord Herbert, on the 30th of October, 1651, presented another petition, the purport of which is not stated, but which was "referred to the former committee, to consider of the business, and if they should find the petitioner had just title to the land, to present some lands to the Parliament, for the petitioner's satisfaction, in consideration thereof." The result was a recommendation, ultimately carried out, which was, in effect, that Lord Herbert should purchase from the Parliament, his father's confiscated life interest in the lands in the counties of Monmouth, Berks, Westmoreland, and Hereford, forming the estates already mentioned as valued at £1700 12s. 10d., by releasing his reversionary interest in the lands sold to Pennoyer and Hill, and paying to the trustees for sale of delinquents' lands the sum of £800, whereupon the lands already settled upon him in reversion, and in which he thus acquired an absolute interest, were delivered to him accordingly in immediate possession. Some years later the Marchioness of Worcester and her two daughters petitioned parliament for the usual allowance for their maintenance out of the confiscated estates: but the tedious proceedings, which resulted in a grant to her of Worcester House, in the Strand, have no connection with Chepstow, and not sufficient with the personal history of its owner to be worth narrating here. The nomination of the young Lord Herbert as a member of the Council of State in November of the same year will be noticed when we come to sketch his personal history. It is alluded to here that the reader may draw his own conclusion as to the possible connexion of the events which have just been related with the appointment of a Councillor so inexperienced in affairs of state to share in the government of a great nation. It shews how potent was the influence of Cromwell at a time when, except as having command of the army, he occupied no ostensible position of authority in the State.

"SHALL Cromwell have a statue?" is a question which has been long ago decided in the affirmative, and the fact of his having lived and died the de facto possessor of Chepstow Castle admits of no more question than that of his having been Chief of the State. His personal history is too closely connected with that of his country to require any notice here; but, as one of the Lords of Striguil, we must record his arms—Sable, a lion rampant Argent. These were his paternal arms. The mongrel device, in which they  
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are borne as an inescutcheon on a quarterly shield consisting of the crosses of St. George and St. Andrew, treated as armorial bearings, and, as such, quartered with the heraldic harp of Ireland, is more properly the arms of the Commonwealth, though ignorantly used at the Protector's funeral impaled with his wife's arms.

His death on the 3rd of September, 1658, and the feeble tenure by his son Richard Cromwell, for a few troubled months of what can scarcely be called power, are matters of general history. The son's Protectorship *in name* continued till the 25th of May following, but it ceased *in fact* on the 22nd April, when he dissolved his parliament at the dictation of the army and its leaders, and took steps for the reassembling of the remains of the Long Parliament, expelled by Cromwell in 1653. Among the demands made by the army upon the parliament, within a week after its reassembling, was "the payment of all debts contracted by His Highness, *the late* Protector (meaning Richard, whose deposition is thus treated as an accomplished fact), or by his father, since 1653 (the date of the establishment of the Protectorate), the settlement of an annual revenue of £10,000, with a suitable house, on Richard Cromwell and his heirs for ever, together with a further sum of £10,000 a year to him for life, and £8,000 a year to his honourable mother during her life, to the end a mark of the high esteem this nation hath of the good service done by his father, our ever renowned general, may remain to posterity." Two members were deputed by the house to induce Richard Cromwell to leave Whitehall, and to execute a formal submission to the authority of parliament. Through them, and as the result of their negotiations, he submitted a general statement of his affairs, reprinted in Noble's Memoirs of the House of Cromwell (i, 443), and elsewhere, from the Journals of the House. The Protector's real estate, exclusive of Dalby, Broughton, and Gower, settled upon Henry Cromwell, on his marriage, and Newhall, settled as security for his sister's marriage portion of £15,000, is stated to consist of Chepstall (of the annual value of £549 7s. 3d.), Magore, Tydenham, Woolaston, Chaulton, Burleigh, Okham, and Eggleton (the annual value of each of which is given, but not necessary to be here particularized) and making an aggregate of £4117 12s. 4d., out of which there were payable an annuity to his mother of £2000, and other annuities to the amount of £818, leaving him a nett income of £1299 12s. 4d., incumbered with debts contracted by himself, in his father's lifetime, to the amount of £3000. The eventual arrangement made by parliament was to discharge the debts

debts of Oliver Cromwell, and other debts contracted by his son on the public account, to the amount of £29640, and to grant to Richard an annuity of £8700 for life, to be proportionately abated as the jointures and annuities should fall in. The declared object of the arrangement was to make up to him, with his own property, a clear income of £10000, subject only to his private debts: and the figures shew that this is done within a few shillings. The only purpose for which it is noticed here is to shew his continued possession of Chepstow, which he no doubt retained until the Restoration of Charles II. re-instated its rightful owner. With that event the personal history of Richard Cromwell ceases to be connected with the Annals of Chepstow Castle, and it is unnecessary to follow him in his twenty years of exile and subsequent residence in England, in not undignified obscurity, until his death on the 13th July, 1712, in the 86th year of his age.

## CHAPTER XI.

## THE RESTORED FAMILY OF SOMERSET.



**T**HE necessity for postponing to this place what further we have to say of Edward, second Marquis and sixth Earl of Worcester, and giving his history piecemeal in three separate chapters of our memoir, is in character with the disjointed condition of the times. We have already traced his birth, marriages, and the state of his family at the outbreak of the civil war. It remains to notice the remarkable part he played in the crooked policy of that troubled period, and the mechanical genius, which, if his name had never been heard of in the cabinet or the field, would have entitled him to be spoken of as the most remarkable man of his race.

His education was commenced under a private tutor at Raglan, and completed by a course of travel in Germany, France, and Italy, and perhaps by study at a foreign university. From the first the bent of his genius was towards mathematical and mechanical studies; and casual phrases in his "Century of Inventions" indicate that the works of the Italian engineers had not been lost upon his observation. The idle story, which, while doing justice to the claims of the second Marquis of Worcester to the invention of the steam engine, attributes it to his chance observation, while a prisoner in the Tower, of the power of steam in raising a pot lid, has been exploded by Mr. Dircks, who has shewn how mechanical inventions in general, and the "Water-commanding Engine" in particular, had been the study of the Marquis's



Marquis's life. Appliances for the raising of water held a very prominent place in the mechanical ideas of the age, not only in respect of their direct utility in supplying water for consumption and ornament, and draining mines and fens, but as means of procuring a motive power—the idea of applying direct to other purposes the power devised for raising the water being a simplification more obvious to us than to our ancestors. From the period of his marriage, in 1628, Lord Herbert seems to have been residing at Raglan: and to this period Mr. Dircks adduces reasons for assigning his engagement of Caspar Kaltoff, a Dutch practical mechanic, to assist in his pursuits. With his assistance there is evidence of a system of water-works having been established at Raglan, for the supply of a fountain standing in what is still known as the Fountain Court. Whether the water was raised by means of appliances which formed the germ of the steam engine is a moot point. On the north face of the Citadel, or Tower of Gwent, there are still remaining a series of perpendicular grooves, communicating with chambers in the wall, of which an elevation is given in Mr. Dircks's work, and which he considers may have enclosed pipes and boilers, consistent with the description given of the Marquis's invention. Mr. Clark, in some observations on the castle, printed in the *Archæological Journal* (xxviii, 332), expressed his opinion that they were intended only to receive the frames of two drawbridges, when not in action, and stated that there were grooves precisely similar to be seen in the citadel at Verona, into which the drawbridges for carriages and foot passengers were still occasionally raised. In deference to the opinion of so competent an authority on castellated architecture, the point must be considered open; but it would be satisfactory to have an elevation of the wall at Verona, as distinct as Mr. Dirck's of that at Raglan, to enable us to judge of the alleged precise similarity, and a drawing of the bridge apparatus itself, so as to account for the position of the particular chambers and grooves. Those at Raglan extend to a height of forty-six feet, to which surely no drawbridge would be raised. That there was machinery of some description for raising water to the top of this tower is evident by a comic incident related by Dr. Bayly, and quoted by Mr. Dircks, as having occurred at the beginning of the Long Parliament:—"Certain rustics came into Raglan Castle to search for arms, his lordship being a papist." The Marquis stood on his privilege as a peer of the realm, and eventually so prevailed that "they were at last willing to take his word; but he not wishing to part with them on such easy terms, had before resolved to return them one fright for another. With that view

view . . . . . he brought them over a high bridge, that arched over the moat that was between the castle and the great tower, wherein the Lord Herbert had newly contrived certain water works, which, when the several engines and wheels were to be set going, much quantity of water, through the hollow conveyances of the aqueducts, was to be let down from the top of the high tower, which upon the first entrance of these wonderful *afinegoes*<sup>1</sup> the Marquis had given order that these cataracts should begin to fall, which made such a fearful and hideous noise, by reason of the hollowness of the tower, and neighbouring echoes of the castle, and the waters that were between and round about, that there was such a roaring as if the mouth of hell had been wide open, and all the devils conjured up, occasioning the poor silly men to stand so amazed as if they had been half dead, and yet they saw nothing. At last, as the plot was laid, up came a man, staring and running, crying out 'Look to yourselves, my masters, for the lions are got loose.' Whereupon the searchers tumbled so over one another, escaping down the stairs, that it was thought one half of them would break their necks, never looking behind them until out of sight of the castle." About the year 1638, Lord Herbert exhibited to Charles I. and his court, with many persons of distinction, including two foreign ambassadors, a machine, set up in the Tower of London, for exhibiting self-motive power, or, in other words, perpetual motion, a problem which the mechanics of those days looked upon as an object of possible attainment. At this period Caspar Kaltoff appears to have been in his service, somewhere in London, and though Mr. Dircks has failed to pierce the obscurity in which the subject is involved, he shews some grounds for supposing that years before the Civil War broke out, Lord Herbert had, at his own expence, set up an establishment, carried on under the charge of Kaltoff, in premises at Vauxhall let for that purpose by the King, and which by some means was kept on foot during the Commonwealth. On this establishment he declared, in a petition, in the year 1663, he had expended £9000 in building, beside upwards of £50,000 in trying experiments and conclusions of arts. It is odd that the mechanics, while allowing the chymists to usurp the sole use of the word Laboratory, have no name for an analogous establishment for carrying on their own pursuits. Why should they not revive the second Marquis of Worcester's term, and call it an "Operatory"?

HENCE

<sup>1</sup> *Afinego*—a young *af*s—Portuguese. "Thou hast no more brains than I have in my elbow: an *afinego* may tutor thee." Shakespeare's *Troilus and Cressida*, ii., 1.

THESE mechanical pursuits were rudely interrupted by the outbreak of the Civil War, in which we have seen how prominent a position he at once took in military affairs. It cannot be said that his military career was a success. The various operations in which he was concerned, though spoken of in high sounding terms in his patent of nobility, made little figure in history; and the force of 1500 foot and 500 horse, which his father's generous loyalty had placed under his command, came to an unfortunate end, in the year 1642, by being surprized, and surrendering without a blow to Sir William Waller, who had crossed the Severn at a point which it would have been easy to guard, and 1300 foot and three troops of horse were led prisoners into Gloucester. This disaster occurred while Lord Herbert was absent from his command, being with the King at Oxford. Such at least is the account of Clarendon (*Hist. of the Rebellion*, ii, 287, ed. 1732) and he is more likely to have been well informed on the subject than the Parliamentary May, who, in his *History of the Parliament* (ch. iv, p. 203, reprint of 1812), speaks of Lord Herbert as having been in command, and says he escaped by flight and got to Oxford. He subsequently raised another regiment of foot and ten troops of cavalry at his father's expence, and at his own supplied with arms and horses the greater part of a troop of Life Guards, consisting of 120 noblemen and gentlemen of rank. The reasons for and against the employment of Lord Herbert in so prominent a military position are canvassed at length by Clarendon, at the page last cited. After alluding to the emulations and dissensions of families, he says, "It was to be hoped that the old grudges and prejudices, which had been rather against the house of Worcester and the Popish religion professed there than against the person of this lord, would have been composed and declined by his fair and gentle carriage towards all men, as in truth he was of a civil and obliging nature." He is spoken of, in the same page, as "a man of more than ordinary affection and reverence to the person of the King, and one who, he was sure, would neither deceive nor betray him. For his religion, he might work upon himself, but could not disquiet other men, for though he were a papist, he was never like to make others so, and his reputation and interest was very great with many gentlemen of those counties who were not at all friends to his religion."

BUT the principal part played by Lord Herbert in the Civil War was as the secret emissary of the King. It is time to notice his famous patent as Earl of Glamorgan, and his mission to the Pope's Nuncio and the Irish Roman Catholics

Catholics, with a commission containing the most extraordinary powers ever delegated by English sovereign to subject, including the filling up of blank patents of creation to every dignity from a Marquis to a Baronet, constituting him generalissimo of three armies, English, Irish, and Foreign, and Admiral of a fleet at sea, and promising him the title of Duke of Somerset and the hand of the Princess Elizabeth for his son in marriage, with a portion of £300,000. The commission was dated 1st April, 1644, and addressed to him as "Edward Somerset, alias Plantagenet,<sup>1</sup> Lord Herbert, Baron Beaufort, of Caldicote, Grifmond, Chepstow, Ragland, and Gower, Earl of Glamorgan." A bill of that date, under the royal sign manual, for creating him Earl of Glamorgan and Baron Beaufort, is said by some modern writers to be still remaining in the Signet Office, but others have failed on search to find it, and it seems very doubtful, after the investigations of Sir Harris Nicolas, whether the patent passed the Great Seal. It was not even recorded in the Docquet book of Grants made by the King at Oxford. What we have to say as to the supposed limitations of it will be more fitly deferred to a future page. There is some dislocation in the order of documents, and consequent confusion, in Mr. Dircks's narrative, from want of attention to the distinction between the civil and historical years (of which we had an illustration in his date of the death of the fourth Earl); but it would appear that the Earl of Glamorgan did not go to Ireland (if he went at all that year) till some months after the date of his first commission—returned to the King about the end of the year—and in January, February, and March, 1644-5, received fresh instructions, commissions, and promises. He was authorized to levy any number of men in Ireland or elsewhere, and to "treat and conclude with the confederate Roman Catholics, if, upon necessity, any be to be condescended unto, wherein our Lieutenant cannot so well be seen in, as not fit for us at present publicly to own." "Therefore," continues the document, "we charge you to proceed according to this our warrant with all possible secrecy, and for whatsoever you shall engage yourself, upon such valuable considerations as you in your judgment shall deem fit

<sup>1</sup> The highest grade in the peerage, and that too under the title borne by Henry Beaufort, the father of his ancestor the first Earl of Worcester, was indeed a prize: but the attributing to him under the form of an alias, the surname of Plantagenet, which had not only never been acquired by reputation by the family of Somerset, but from which even the Beauforts had been jealously restricted, left their limited legitimation by parliament, as the issue of John of Gaunt, should form a pretext for pretensions to the throne, was a compliment, which, to many persons, would have been too fulsome to be acceptable.

fit, we promise, on the word of a King and a Christian, to ratify and perform the same." And in another document of this period, under his private signet, the King writes :—" So great is the confidence we repose in you, as that whatsoever you shall perform, as warranted under our sign manual, pocket signet, or private mark, or even by word of mouth without further ceremony, we do, on the word of a King and a Christian, promise to make good, to all intents and purposes, as effectually as if your authority from us had been under the Great Seal of England, with this advantage, that we shall esteem ourself the more obliged to you for your gallantry in not standing upon such nice terms to do us service, which we shall, God willing, reward. And although you exceed what law can warrant, or any powers of ours reach unto, as not knowing what you have need of, yet, it being for our service, we oblige ourself not only to give you our pardon, but to maintain the same with all our might and power. And though, either by accident, or by any other occasion, you shall deem it necessary to deposit any of our warrants, and so want them at your return, we faithfully promise to make them good at your return, and to supply anything wherein they shall be found defective, it not being convenient for us at this time to dispute upon them : for of what we have here set down you may rest confident, if there be faith and trust in men. Proceed therefore cheerfully, speedily, and boldly ; and for your so doing this shall be your sufficient warrant."

We must cut short the narrative of his mission. After delays occasioned by the vessel in which he embarked from Wales being driven by stress of weather on to the coast of Lancashire, where the Earl and his companions were arrested by the parliamentary officers, but made their escape ; he arrived in Ireland in the spring or summer of 1645, and opened negotiations with the Nuncio and the Supreme Council sitting at Kilkenny, and eventually concluded an arrangement with them, which, from his point of view, may have seemed to be for the interest of his country, but which happily failed of effect. The Roman Catholic Archbishop of Tuam being slain in an encounter with the garrison of Sligo, there was found in his baggage an attested copy of the treaty between the Earl of Glamorgan and the Supreme Council, a papal bull, and correspondence between the Archbishop and his agents at Rome, Paris, and elsewhere : and, that nothing might be wanting to make the exposure complete, a packet-boat from Ireland being boarded at Padstow by Sir Thomas Fairfax, a packet of papers was thrown overboard, but recovered by the parliamentary commander, containing the Earl's own correspondence and the Articles of Agreement

Agreement under his hand and seal. On the 26th of December he was arrested, in Dublin, and committed to the castle on a charge of high treason by the Marquis of Ormond, the Lord Lieutenant, whom the King, in pursuance of his crooked policy, had deceived as to the extent of Glamorgan's powers. The King utterly disavowed his proceedings "on the word of a Christian," thanked Ormond for his service, and added, "Albeit I have too just cause, for the clearing of my honour, to command, as I have done, to prosecute Glamorgan in a legal way; yet I will have you suspend the execution of any sentence against him until you inform me fully of all the proceedings; for I believe it was his misguided zeal, more than any malice, which brought this great misfortune on him and on us all." The King's own letter was so craftily worded that it may be read as not expressly disavowing the commission, but only the extent or meaning of the powers contained in it; but he allowed his secretary to write to Ormond, on the following day, a letter, in which he says, "The King hath commanded me to advertize your lordship that the patent for making the said Lord Herbert, of Raglan, Earl of Glamorgan is not passed the Great Seal here, so as he is no peer of this kingdom, notwithstanding he styles himself, and hath treated with the rebels of Ireland, by the name of Earl of Glamorgan, which is as vainly taken upon him as his pretended warrant, if any such be, was surreptitiously gotten." And yet the King, the very day before, in his letter to the Marquis of Ormond, had spoken of his agent as "Glamorgan," and three days later, and on many subsequent occasions, addressed him by that title. The Earl was the best abused man in the three kingdoms. The roundheads regarded him as the guilty tool of the desperate King, while the protestant royalists could look with scarcely more favour on a compact between him and his coreligionists to sacrifice the Protestant establishment, as the price of assistance from the Pope and foreign powers; and even the Roman Catholics were ready to throw upon him the blame of deluding them with empty promises. Nor has history done much more justice to the unfortunate Earl of Glamorgan, one set of writers not scrupling to charge him with the actual forgery of the document produced in support of the powers he assumed, while others regard him as the innocent but incompetent dupe of a faithless sovereign. The truth probably lies between the two statements—admitting the authenticity of the documents, and that every step taken by the Earl of Glamorgan was fully authorized by the King, it must be remembered that the Earl was playing for a great stake—and lost. If he succeeded, he was to gain rank, honours, wealth, royal alliances, all that a grateful sovereign could devise to reward his services.

services. If he failed, it was part of the compact that he should submit to be disfavoured and repudiated, but saved, so far as the King had power to save him, from actual punishment. And, to this extent, the compact was performed ; for, on grounds which never came to light, he was released from custody on the 21st of January, on giving up to the Lord Lieutenant the treaty signed by the confederated Roman Catholics, and giving bail for his appearance when called upon. Even after this he continued his confidential correspondence with the King, and his negotiations with the Nuncio and confederated Roman Catholics, until the immediate object in view in raising forces—the relief of Chester—failed by the surrender of that city.

HE was still in Ireland at the period when his father's death raised him to the dignity of Marquis and Earl of Worcester. He left it, in March, 1647, for Paris, where he remained in exile and poverty until, in 1652, we find him again in London. It is not known on what grounds for expectation of impunity the proscribed Marquis ventured to set foot on his native shores, where the parliament declared that if found he should die without mercy, or what was the errand which induced him to incur the risk. Some writers allege a secret mission from the exiled prince, and others the state of his own private affairs. That the latter is the more probable statement is shewn by his allegation in four separate petitions to the Council of State, abstracted in the Calendar of State Papers, Domestic series, and noticed below, that he had voluntarily submitted himself to the Commonwealth. Possibly his mind, released from cares of state, turned with redoubled eagerness to his mechanical projects, and the desire of re-visiting the Operatory at Vauxhall had become irresistible. The parliament, in an act of 1649, for the sale of the property of the late King, had excepted the house called Vaux Hall, and the grounds, houses, buildings, models, utensils, and other necessaries for practical inventions therein contained, and provided that they should remain, for the use of the Commonwealth, to be employed and disposed of by the parliament, as they should think fit : and a letter of Milton's friend, Samuel Hartlib, quoted by Mr. Dircks (p. 266) mentions that it was set apart as a place of resort for artists, mechanics, &c., and a depôt for models and philosophical apparatus, and for carrying on experiments and trials of profitable inventions, and that it had been designed by the late King for such use. In 1652, however, the parliament determined on its sale, and it was accordingly sold to John Trenchard, of Westminster. It was in the same year that we find the Marquis of Worcester visiting England.

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His hopes of impunity, so far as his liberty was concerned, were doomed to disappointment. He was soon arrested, and on the 28th of July, the House resolved, that the Earl of Worcester do stand committed to the Tower of London, in order to his trial, and that it be referred to the Council of State to consider in what way the Earl of Worcester may be tried, and who hath harboured him, and to consider all the circumstances in his business, and to report their opinion thereon to the House on Friday morning next. No steps seem to have been taken towards his trial. In December, 1652, he presented a petition to the Council of State, in which he is described as a prisoner in the Tower, and represents the calls made upon him by his brewer, baker and cook, and that his keeper had not received a penny for lodgings or fee. The prayer of his petition is a curious one. It is for a grant of such concealed debts as are not yet discovered or recovered by the state in consideration of his voluntary coming in, his ingenious<sup>1</sup> answer, and submissive compliance. On the 13th January, 1653, in another petition to the same body for competent maintenance for himself and family, he says that had he been taken in arms he and his family would not have been left without bread; but he had submitted voluntarily, and had lived in imprisonment six months on credit, which was hourly likely to fail; and his wife had neither jointure nor maintenance. Again, on the 22nd of March, he prays for an allowance, having submitted voluntarily, and been eight months without maintenance. On the 31st of the same month, he prays them for release on bail for his good behaviour and submission to the present government. He thanks the Council for their charitable intentions for his subsistence, yet finds the presentation of his condition obstructed by multiplicity of affairs, and is out of hope to be relieved. On the 14th of May, being a fortnight after Cromwell's *coup d'etat*, the Earl of Worcester, as he is styled throughout these proceedings, writes to him a letter, abstracted in the same calendar, in which he says, "The obstacle which hindered many of your laudable intentions for the common welfare being now, by God's goodness and your unparalleled endeavours, removed, I doubt not of redress and really to receive what the late Council of State put me in hopes of. No subject in England has been so hardly dealt with; but having recourse to the fountain-head of mercy and nobleness, whose chrystaline waters may now run without interruption: my heart is elevated with hopes." On the 10th of June, the new Council of State directed

<sup>1</sup> The meaning is of course "ingenuous," but at this period the words were used indiscriminately.



directed the Commissioners of Goldsmith's Hall to order the allowance of £3 per week, to be paid for the subsistence of the Earl of Worcester, prisoner in the Tower, weekly or otherwise, as the Earl shall desire. And on the 14th, the Earl writes to Cromwell, expressing his thanks, and acknowledgment of personal obligations, of which his daughter had informed him. In August, 1653, he presented a petition to Parliament for his release, which was definitely refused on the 3rd of October; but another petition, in October of the following year, was more successful. It was urged in his favour that he was an old man, and had lain long in prison; and the small-pox then raging under the same roof where he lay, and that he had not done any actions of hostility, but only as a soldier, and in that capacity had always shown civilities to the English prisoners and protestants. It was ordered that he should have his liberty, for the present, upon bail. From a warrant issued by Cromwell, dated 26th June, 1655, and printed from the Patent Book in Mr. Dircks's Appendix F., ordering the Commissioners of the Treasury to pay to the Earl the weekly allowance of £3, theretofore charged on the treasury at Goldsmiths' Hall, with arrears from the 8th day of January preceding, up to which date the treasurers of Goldsmiths' Hall had certified the same to have been satisfied, it may be inferred that the Earl's imprisonment had ceased on or about the last named date. Even before his release from the Tower, he appears to have been in treaty with Trenchard for the purchase of the premises at Vauxhall; but whether such purchase was made, and whether in his own name, or that of Caspar Kaltoff, is not very clear. Some ten years later, there was a royal warrant (printed in Mr. Dircks's Appendix from the Calendar of State Papers), directing enquiries by whom the several rooms were then possessed; and particularly what belonged to the Marquis of Worcester, what to Gaspar Collthoff, late deceased; and what their respective interests in the engines, tools, &c., remaining in that place. But the conflict of interests probably arose out of arrangements made subsequent to the Restoration, under which Kaltoff was employed in the making of guns and divers engines and works for His Majesty's service.

RELEASED from the Tower, the whole energies of the Marquis of Worcester were directed to his mechanical inventions, and especially to the perfecting of his "Water-commanding Engine," from which, with all the enthusiasm of a projector, he anticipated the restoration of his fallen fortunes. In vain he sought interviews with Cromwell, or even his secretary Thurloe, declaring, in terms which, to the discredit of his political consistency, have been erroneously supposed

supposed to have had reference to affairs of state, his ability to do His Highness more service than any one subject of his three nations. The "Century of Inventions" was not printed till the year 1663, but it bears evidence on its title of having been produced in 1655; and in the meantime it had been freely circulated in manuscript. Its title is, "A Century of the names and scantlings of such inventions as at present I can call to mind to have tried and perfected, which (my former notes being lost) I have, at the instance of a powerful friend,<sup>1</sup> endeavoured now in the year 1655, to set these down in such a way as may sufficiently instruct me to put any of them in practice." In the dedication to this work, in its published form, he speaks of "the unparalleled workman, both for trust and skill, Caspar Kaltoff, who hath been, these five and thirty years, as in a school, under me employed, and still at my disposal; in a place by my great expences made fit for public service, yet lately like to be taken from me."

THE Restoration at length offered a gleam of hope to the struggling Marquis, but while all ranks and parties in the nation were giving way to a transport of new-found loyalty, he, almost alone among those whose fidelity to his master's house had never wavered, found himself an object of general suspicion. One of the first acts of the reassembled House of Lords was to appoint a committee to consider the Marquis of Worcester's patent, alleged to be a prejudice to the peers, and on the 23rd August, 1660, the committee reported, "that the Marquis of Worcester confessed to their Lordships that a patent was made and left in his hands by the King, to create him Duke of Somerset, upon certain conditions which never yet were performed—that he made no use of it—that the said patent is in the hands of his son, the Lord Herbert, and his lordship is willing to deliver it up to His Majesty." A message was accordingly sent to the House of Commons, of which Lord Herbert was a member, and eventually it was reported that the patent had been given up to His Majesty. There are some circumstances connected with this patent, which still baffle attempts at explanation. It was promised to the Earl of Glamorgan in the King's extraordinary commission of 1st April, 1644 (Dircks, p. 71): and in a letter, dated the 12th of February, 1644-5, the King, in sending further despatches for Ireland, writes, "What I can further think at this point is to send you the Blue Ribbon, and a warrant for the title

<sup>1</sup> Probably Col. Christopher Copley, of whom, and his connection with the Marquis, particulars are given in Mr. Dircks's work and its Appendix.

title of Duke of Somerset, both which accept and make use of at your discretion: and if you should defer the publishing of either for a while, to avoid envy and my being importuned by others, yet I promise your antiquity for the one and your patent for the other shall bear date with the warrants" (Dircks, p. 74): and yet there is among the Badminton MSS. (Dircks, p. 104) a warrant, addressed "to our Attorney or Solicitor General for the time being," dated at Oxford, the 6th of January, in the 20th year of our reign (1644-5), for a bill conferring the same dignity of Duke of Somerset on the Earl's father, Henry, Marquis of Worcester: and at p. 162, Mr. Dircks prints the introductory portion of a document which he calls "the original patent," endorsed, "1646, 21 Charles I, creation of Edward, Earl of Glamorgan, Duke of Somerset and Beaufort," and stated to be "still existing at Badminton," whereas the patent by which that title was conferred, whatever may have been its date, was, as we have seen, given up to the King on the Restoration.

THE "obnoxiousness of his religion," as he found to his cost, not only deprived him of court favours and public employment, but even of common justice from the new Parliament. The order for the restoration of his unfolded estates and stay of waste was accompanied by a saving clause in favour of his son, whose position at this period seems to have been one of hostility to the Marquis; but we will postpone, for the present, the notice of this subject. With more justice the act which was eventually obtained for restoring him to his estates was opposed by his creditors, and was clogged with provisions for their benefit. The vast sums expended by both the first and second Marquises in the royal cause had necessarily been raised on the security of their interests in the settled estates of the family, and whatever claim for reimbursement the Marquis had upon the restored monarchy, his creditors had a right to look to him in the first instance; but the result was that even the restitution of his estates left him a ruined man, overwhelmed with debts from which he never was able to extricate himself. In a petition from his wife to the House of Lords, so late as 1666-7, she declared that, although the Marquis had paid above £50,000 of his debts, there remained so many that his estates was all seized on by his creditors, upon judgments, statutes, and recognizances, inasmuch that he was deprived of his whole estate, and nothing left for his and her support and maintenance. Whether this restitution by Act of Parliament was accompanied with the same saving clause in favour of Lord Herbert as the resolutions of the House of Lords is immaterial to our purpose,

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as it did not affect Chepstow and the other estates which had been enjoyed by Cromwell, and which had necessarily been dealt with in the General Act of Attainder, 12 Chas. II., ch. 30. That act accordingly contained a proviso vesting in the Marquis of Worcester and Lord Herbert, for such estates as they formerly had in the same respectively, all the manors, lands, &c., which at any time theretofore had been the property of them or the late Marquis, or any of them, wherein the said Oliver Cromwell, or any other the persons attainted by that act, had, or claimed, or pretended to have any estate or interest, notwithstanding any conveyance or assurance theretofore made or acknowledged by the said Edward, Marquis of Worcester, and Henry, Lord Herbert, or either of them, unto the said Oliver Cromwell. Even before the introduction of the restoration bill, the House of Lords, "upon information given that Elizabeth Cromwell, widow, the relict of Oliver Cromwell, Richard Cromwell, Esquire, and Henry, Lord Herbert, had many deeds, evidences, and writings belonging to the Lord Marquis of Worcester," ordered the delivery to his Lordship of "all such deeds, evidences, conveyances, court-rolls, surveys, patents, fines, recoveries, rentals, plate, papers, memorials, and writings whatsoever;" and the very deeds held by Cromwell are now in the muniment room at Badminton (Dircks, pp. 238, 247).

I KNOW not under what arrangement with the Government Chepstow Castle was used for public purposes. In Cromwell's time it had served, for some months, about the end of the year 1656, as the place of imprisonment of Jeremy Taylor (Bonney's *Life of Taylor*, pp. 247, 252): and after the Restoration it received a less illustrious occupant, in the person of Harry Marten, the regicide, whose imprisonment here has attracted more than its share of notice, in consequence of the foolish lines written by Southey in his days of republicanism and pantifocracy, but which are as untrue in fact as they are mischievous in sentiment. As to the fact, it is notorious that Marten, at all events after the first few years of his imprisonment, was little more than a prisoner on parole, allowed to visit the neighbouring gentry, and occupying at Chepstow Castle, with his family and servants, spacious and comfortable apartments in the tower which still bears his name. As to the sentiment, the lines received their best antidote in the clever parody of Canning and Frere, in the *Anti-Jacobin*. A royal garrison was maintained here, until the commencement of the last century, which, in 1695, consisted of one captain, one lieutenant, two sergeants, three corporals, one drummer, one gunner, and sixty-two rank and file.

AMONG

AMONG all his troubles and anxieties the Marquis never desponded. He had one great resource, in which, even as regards its pecuniary results, he had unbounded confidence—his Water-commanding engine. He saw in prospect, only less distinctly than we can see with the experience of the nineteenth century, the amazing revolution to be effected by the discovery of a new motive power. He overlooked, or wilfully shut his eyes to, what, if his invention had been far more perfect than we have any reason to suppose it to have been, must have been insuperable impediments to its commercial success within his own lifetime—the slow growth of those manufacturing resources necessary for carrying his ideas into practical effect—his own pecuniary position—and the prejudices which impede, and in those days still more impeded, the bringing of new inventions into general use. All this he might have foreseen; but he could scarcely have been expected to realize the cold indifference with which even the leaders of science in England would shut their eyes to the practical demonstration of the soundness of his views, or, if they condescended to notice them at all, would, with Dr. Hook, laugh at his invention, as one of the perpetual motion fallacies with which he had amused Charles I., and the foreign ministers before the commencement of the Civil War. To his sanguine mind all that seemed wanting was the Patent Act, by which the fruit of all his study was to be secured to him. The obtaining of this was more to him than titles or recovered estates, and he waited in eager expectation for the time, when—to use his own words, in a letter to the Earl of Lauderdale (Dircks, p. 223)—“with security and satisfaction by act of parliament, he might put in practice the greatest gift of invention for profit that he ever yet heard of vouchsafed to a man, especially so unworthy and ignorant” as, with conventional modesty, he avowed himself to be, and which, in a “Definition” enclosed in the same letter, he described as “a most admirable and most stupendous invention, through the providential dispensation of the Almighty God’s infinite mercy and goodness found out and perfected by the sole expences, ingenuity, knowledge, and mathematical insight of the Right honourable Edward Somerset, Marquis of Worcester, and by his lordship deservedly termed, and pithily defined to be, An Imperial or a Water-commanding engine, boundless for height and quantity, and requiring no external, nor even additional help or force, to be set or continued in motion, but what intrinsically is afforded from its own operation, nor yet the twentieth part thereof.” His bill was read the first time in the Lords on the 16th of March, 1662-3. It was intitled “An Act to enable Edward, Marquis of Worcester, to receive the benefit and profit of a Water-commanding

commanding engine, by him invented, one tenth part whereof is appropriated for the benefit of the King's Majesty, his heirs and successors." On the terms indicated by its title, it secured him the monopoly for a term of ninety-nine years. In the Commons, Lord Herbert had influence enough to procure the insertion of a proviso securing to himself the benefit of the invention after the death of the Marquis; and of the bill, so amended, he took charge, and carried it to the Lords, and the act received the royal assent on the 12th of May. Of his own estimate of the pecuniary value of the right so conferred upon him, the Marquis gave a practical indication, in gladly purchasing the King's tenth share by giving up to him in exchange a warrant from Charles I., granting him lands to the amount of £40,000 in consideration of a debt to that amount.

IN this notice of the famous Marquis of Worcester, it need scarcely be explained how much we have been indebted to the exhaustive memoir of Mr. Dircks, from whose views there has not been much occasion to differ. There is one point which he does not notice, but which is only too evident from the documents he prints—that in the latter years of the Marquis's life, the accumulation of his anxieties must have overturned the balance of his mind. In what other way is it possible to account for a speech, prepared for delivery in the House of Lords, submitted previously to the King's approbation, and printed at p. 320 of Mr. Dircks's volume? The speech expresses his gratitude to the lords for the passing of the Patent Act—gives them a narrative of his parentage, education, sufferings, and services—gives a detailed statement of his losses and expenditure in the cause of Charles I., which, by means partly of statements of actual sums expended, and partly of estimates in very round numbers, he makes to amount to £918,000—and he proceeds to make a number of the most extravagant proposals, among which are, to raise at his own expence an auxiliary troop of a hundred cavaliers, each to keep a servant with a led horse, as well as his own, of the value of £100 apiece, and each to furnish and lodge in store arms for 100 men, so as to arm 10,000 men when occasion might require—to endow, from the profits of the Water-commanding engine, a daily ordinary, with wine and meat, for forty indigent officers—to make four causeways, of two miles in length, at four of the principal approaches to the City—to erect, and endow with £500 a year each, a hospital and house of correction at the end of each causeway, "this pious work to begin within two years, and to be finished within seven"—and to allot "£1000 a year for  
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ten years from Michaelmas come twelvemonth" towards the building of St. Paul's—and all this by a ruined man, describing himself as wanting bread, and giving practical evidence of his pecuniary difficulties by obtaining loans of small sums, varying from £20 to £200. On the same grounds there seems reason to doubt the accuracy of some of the statements made by him on other occasions, as, for instance, that his father's rental, at the commencement of the Civil War, amounted communibus annis to £35,000, which is probably an exaggeration of about fifty per cent., and that he himself had received a legacy of £200,000 in cash from his grandfather.

THE Water-commanding engine was set up at the Operatory, in Vauxhall, where it was publicly exhibited for at least seven years, seen and admired by intelligent foreigners, and laughed at, without examination, by Dr. Hook. It was announced in pamphlets and posting bills, and attempts were made to form a public company for carrying it into practical effect—but all without success. The age of promoters and financial agents had not yet arrived, and neither the Marquis nor any one belonging to him ever received benefit to the amount of a single shilling from his great invention. Unsuccessful as a commander, as a diplomatist, and as a projector, he failed even in obtaining from posterity that appreciation of his labours, which would have resulted from a description of his invention sufficient to identify it with machines better known in the history of the steam-engine.<sup>1</sup> The ambiguous terms which he intentionally used in respect of all his projects in what he called "A Century of the Names and Scantlings of Inventions" does not answer this purpose; and his design "to leave to posterity a book, wherein, under each of these heads, the means to put in execution and visible trial all and every of these inventions, with the shape and form of all things belonging to them, should be printed by brass plates," was frustrated by his death. Overwhelmed with debt, neglected at court, defrauded by his family, regarded by men of science as a dreamer, and by the public as a plotting papist, he sank into his grave on the 3rd of April, 1667. The very place of his death is unknown. Probably it was at or near his Operatory, in Vauxhall. His burial was at Raglan Church, where his name and titles (important in relation to the questions above noticed) are thus recorded:—"Depositum illustrissimi principis Edwardi, Marchionis

<sup>1</sup> For the proof of this identity, and of the extent to which Savery and other inventors have been indebted to the Marquis of Worcester, we must refer to Mr. Dircks's work, in which the subject is thoroughly investigated.

Marchionis et Comitiss Wigorniae, Comitiss de Glamorgan, Baronis Herbert, de Raglan, Chepstow, et Gower, nec non Serenissimo nuper Domino Regi Carolo primo South-Walliae Locumtenentis: qui obiit apud Londinum, tertio die Aprilis, A.D. 1667."

His wife survived him. Her faith in the Water-commanding Engine was almost equal to his own. An illustration of the manner in which it was regarded by the rest of the world is afforded by a letter from her confessor, printed in Mr. Dircks's Appendix, in which he tells her she is disturbed and weakened in her judgment, and in danger to lose the right use of her reason, by (among other things) attempting to get great sums of money from the King to pay her deceased lord's debts, and "enriching herself by the great machine;" and recommends to her a residence at Hammersmith, where she may have the advice and directions of a learned priest. He was neither the first nor the last to make a mistake as to what constitutes an act of insanity; and he may have had better reasons for his opinion as to the state of the unhappy lady's mind; for in 1678 she was the subject of a commission of lunacy.

OF Henry, third Marquis of Worcester, hitherto spoken of as Lord Herbert, we have had a good deal to say by anticipation. His birth, deduced from the age recorded on his monument, must have been in or about the year 1629.<sup>1</sup> What little is known of the circumstances attending his entry into public life depends mainly on the not very trustworthy authority of one Nathan Rogers, a local attorney engaged in the cause of the freeholders of Wentwood, in their resistance to the enclosure of portions of Wentwood Chase, and who wrote a small volume in furtherance of his object, entitled *Memoirs of Monmouthshire*, 12mo., London, 1708. "About this time," he says (no time, however, having been mentioned except by reference to Cromwell's keeping up the enclosure of Chepstow Park under his grant from the Parliament), "the Lord Herbert, being bred a papist and sent into France, came over, and made his court to Oliver Cromwell, but was first advised to show himself in Whitehall chapel, that he was conformable to the religion then in fashion, and then was introduced by Col. Philip Jones to kiss the Protector's hand, who [*i.e.* Lord Herbert] afterwards became his convert, and a great favourite, had £2000 per annum given him, and lodgings assigned him at Whitehall. 'Twas credibly reported that

<sup>1</sup> This assumes that the date of his death, there recorded as 21st January, 1699, is according to the civil and not the historical reckoning.



that that Lord did instigate Oliver to cut and deprive the tenants of the wood." The Colonel Philip Jones here spoken of represented Monmouthshire in the Long Parliament, and was eventually a member of Cromwell's "Other House." There are lists of the members of the various Commonwealth Parliaments, in a tract in the British Museum, entitled "Names of the Members of Parliaments, &c.," 4to., Lond., 1654 (King's Pamphlets, 104, a. 8) in which the name of Henry Herbert, Esquire, appears as member for Monmouthshire on 27th May, 1652, being eleven months before Cromwell's *coup d'état* in dispersing the Rump. If there be no mistake as to the identity of the individual so named—and it has never been questioned—there need be no doubt as to his having at a still earlier period, the 24th November, 1651, when he cannot have been of riper age than in his twenty-third year, been nominated as a member of the Council of State for the fourth year after the establishment of the Commonwealth. This was fully two years before Oliver could be described as "the Protector." The name of Henry Herbert, Esq., appears in the list of the Council, as given in Masson's Life and Times of Milton (iv., 354), though it will have been observed that in the Act of Parliament of only four months previous, for carrying out the transaction as to the Chepstow and other estates, he is properly described as "Henry, called Lord Herbert." His Councillorship will account for his having lodgings assigned him at Whitehall. He was not a member of the fifth and last Council of State elected by the Rump, the members of which are also named by Professor Masson, and he was not subjected to the indignity of being summoned to Barebone's Parliament, 8th June, 1653, in which stands the name of Philip Jones, Esquire, alone. In the Parliament which met on the 3rd of September, 1654, Lord Richard Cromwell, Philip Jones, and Henry Herbert appear as the representatives of Monmouthshire. In this Parliament Clarendon says, "strict order was given that no person who had ever been against the Parliament during the time of the Civil War, or the sons of any such persons, should be capable of being chosen to sit, nor were any such persons made choice of" (Hist. of the Reb., iii., 647, ed. 1733)—which is improved by Rapin (ii., 593, Tindal's Trans., ed. 1733) into a statement that "in the writs for the election of members there was a strict order not to elect any persons, or their sons, who had borne arms for the King, and this was punctually obeyed." There is, however, no such direction in the writ, as printed in the tract among the King's Pamphlets cited above; and Lord Herbert's election, though his name appears as plain "Henry Herbert," is an answer to the entire statement, so far as this Parliament is concerned;

concerned ; but there was some such provision in the Act for the Dissolution of the Long Parliament, passed on the 16th March, 1659-60, accompanied, however, with an exception in favour of those who had given subsequent manifestation of their good affections ; an exception of which, in due time, Lord Herbert had the benefit. A curious illustration of his political influence is noticed in the Calendar of State Papers (Domestic Series). A petition to Parliament from the Countess of Worcester, of the probable date of December, 1652, is endorsed with a note that "she is not the mother of the young Lord Herbert."

ON the 17th of August, 1657, he married Mary, daughter of Arthur, Lord Capel, who lost his head in the royal cause, and widow of Henry Seymour, Lord Beauchamp, who was nephew of Robert Devereux, Earl of Essex, the Parliamentary General. The marriage was before a Justice of the Peace for the parish of St. Clement Danes, Middlesex, whose certificate, still preserved at Badminton, is printed by Mr. Dircks. The recourse to the republican mode of contracting the matrimonial engagement was voluntary. It had been instituted by an Ordinance of Barebone's Parliament, 24th August, 1653, which did indeed provide that no other marriage after 29th September, 1653, should be held or accounted a marriage ; but an Ordinance of 1656 (ch. 10), which repeals all acts and ordinances between 20th April, 1652, and 17th September, 1656, except such as are therein specified, while confirming the last marriage Act, excepts and repeals the clause making all other marriages void. Lord Herbert's marriage must therefore be taken as another indication of his opinions, and his entire abandonment before this date of the religion in which he had been educated—and in this case the evidence is independent of the testimony of Mr. Nathan Rogers.

A REMARKABLE rearrangement of parties took place on the fall of Richard Cromwell and the restoration of the Rump. The Oliverians proper, and those who had supported the succession of the Protector's son desiring to see the Government carried on under the auspices of "a Single Person," and the Presbyterians, who, having refused to concur in the trial and execution of Charles I., had thenceforth been excluded from participation in public affairs by the *coup d'etat* known to history as Pride's Purge, now began to form a party known as the New Royalists, some of whom avowedly aimed at the restoration of the Stuarts, and others pursued the ostensible object of "a full  
and

and free Parliament," which evidently pointed to the same result. To this party Lord Herbert adhered; and consequently, though, as we have seen, he had been a member of the Rump, we do not find his name among those who sat in it on its restoration in 1659, and of whom a list, compiled from various sources, is given in Masson's *Life and Times of Milton* (v, 453). On the contrary, he was one of those concerned in the royalist plot of the same year, which, though intended to break out simultaneously throughout the kingdom, resulted only in the rising of Sir George Booth in Cheshire. The whole details of the plot were known to the Government; and Lord Herbert, who with Major General Massey was to have led the movement in Gloucestershire and the adjoining counties, was arrested and committed to the Tower. This arrest is evidently the affair referred to in a letter from Lord Herbert to his wife bearing no other date than "Aug. the 20th," but which Mr. Dircks, who prints it at p. 233 of the *Life*, erroneously assigns to the period of 1660-1. In this letter he says, "I was last night examined, and am now in the Tower. I have already so well satisfied you of my innocence that I am sure my being lodged here cannot fright you, neither can I imagine my restraint should be long, for I think I only owe it to my Lordship." The latter words might have satisfied Mr. Dircks that the letter could not have been written after the Restoration. Lord Herbert had been more deeply implicated, and was in greater danger, than he chose to disclose to his wife; but eventually the hopeful anticipations which he expressed to her were realized, in consequence of the parties in power not thinking it prudent to push matters to extremities; and Lord Herbert, along with Lords Northampton, Falkland, Howard, and others, was released from custody on the 1st of November following (See Masson's *Life and Times of Milton*, v, 505).

LORD Herbert sat in the Convention Parliament, which met on the 25th of April, 1660, under the auspices of General Monk, to carry out the foregone conclusion of restoring Charles II., and was one of the twelve Commissioners of the House of Commons, who, with six of the Peers, were deputed to attend the King at Breda. The influence of which the Marquis of Worcester was deprived by his religion seemed by common consent to have devolved on his son, and was exercised, so far as we have the means of judging, little to the advantage of his unfortunate father. So early as the 9th of June, 1660, we find the latter, in a letter to Lord Chancellor Clarendon, alluding to his son the Lord Herbert's underhand working by false suggestions (Dircks, p. 236), which throws light on the fact, already noticed, that an order of the House of Lords obtained

obtained on the 20th of June for possession of the Marquis's unfold estates and stay of waste was on the 11th of September qualified by a proviso that it was not to extend to any manors or lands sold unto or enjoyed by Henry, Lord Herbert, son and heir apparent of the said Marquis. Of all the acts of injustice committed (some of them unavoidably) on the Restoration, this was one of the most iniquitous and the most wanton. Many of the acts of restitution were surrounded with difficulties, and the general question of the confiscated estates was one of the most perplexing attending the restoration of the monarchy. The case of those who, unmixed with politics and political offences, had invested hard cash in purchases from the *de facto* Government on the faith of a supposed parliamentary title, admitted of much being said in their defence. But what had Lord Herbert given for the estates for the retention of which he obtained the shield of parliament against their rightful owner? Nothing but the release of a reversionary estate, from which he could derive no benefit in his father's lifetime, and a sum of £800 paid for equality of exchange, in return for which he had been for nine years in possession of an estate of £1700 a year, which did not belong to him, and in respect of which, if justice had been done, he would have been compelled to account to the Marquis of Worcester.

By assigning its true date to his letter announcing his arrest and committal to the Tower we have removed the only shadow of a ground for supposing Lord Herbert to have been under any cloud subsequent to the Restoration. He was from the first, in high favour at court, and was appointed Lord Lieutenant of Gloucestershire. In 1661, he was one of the Commissioners for Monmouthshire and Gloucestershire for distributing the funds voted by Parliament for the relief of indigent commission officers; and in September, 1663, he had the honour of entertaining the King and Queen at Badminton, which he had acquired by devise from his half cousin, Elizabeth, daughter and heiress of Thomas, Viscount Somers of Cassel, and which has ever since been the principal seat of the family.

DURING his father's lifetime he seems to have borne no other title than that of Lord Herbert. The Earldom of Worcester would not, according to the usual practice, furnish a courtesy title, being derived from the same place as the Marquisate; but it may be asked why he was not styled Earl of Glamorgan, which down to modern times has been the title accorded to the eldest sons of the titular Marquises of Worcester, heirs apparent to the Dukedom of Beaufort.

During

During the Commonwealth Lord Herbert was not likely to use a title which would not have received recognition from his republican friends ; and he might not choose to make the Restoration the occasion for abandoning that by which he was known ; but it is remarkable that the Earldom of Glamorgan is not even included in the ample record of titles on his monument, or on his stall-plate in St. George's Chapel, though included in the titles attributed to his father on his tomb at Raglan. A partial explanation of the anomaly is suggested by a royal warrant granted by Charles II. to John Granville, recently created Earl of Bath, in which the King, after reciting that Earl's descent from Robert Fitz-Hamon, the first Norman Lord of Glamorgan, promised that in case the Earldom of Glamorgan should fall to the crown during his reign for want of heirs of the Marquis of Worcester "by his Lady now living, as we are informed, the same is settled by our royal father," he would grant it to the Earl of Bath. Mr. Courthope, in a note to the *Historic Peerage* (s. v. Glamorgan), says this was an erroneous recital of the limitations of the patent. On what grounds he came to that conclusion does not appear, as the patent itself is not forthcoming ; but if it was correctly recited, Lord Herbert never was heir apparent to this Earldom, and it became extinct on the grantee's death in 1667, as he had no issue by his second wife except a daughter who died in infancy. The reasons for such a limitation would not be difficult to conjecture. A title which in the course of nature would, in a very few years, merge in the older Earldom of Worcester and the Marquisate would have been but an empty dignity ; whereas an Earldom which would descend to the issue of the grantee's second wife would be deemed a special mark of distinction by her Irish relatives, with whom he was about to place himself in communication on the King's affairs. But, on the other hand, the fact that the title was never conferred on the Earl of Bath, and the subsequent use of it by the Somerset family, both in the assumption of courtesy titles and in several of their garter-plates down to 1801, indicate some foundation for Mr. Courthope's note. In April, 1667, as we have seen, the death of his father gave Lord Herbert the title of Marquis and Earl of Worcester ; and the estates acquired by him from Cromwell's Parliament became then, if not before, reunited with the other family possessions, which, with subsequent accumulations derived from grants from the crown and alliances with noble families have since accompanied his titles.

IN 1672, he was appointed Lord President of Wales ; and on the 30th of June in the same year was installed Knight of the Garter, his plate (the 14th of

of the 8th stall) being inscribed, "Du tres noble et puissant prince, Henry, Marquis et comte de Worcester, baron Herbert, seigneur de Ragland, Chepstow, et de Gower, president du conseil en la principauté de Galles, conseiller d'estat et privé, et chevalier du tres noble ordre de la jartiere, enstallé au chastiau de Windefore, le troisieme jour de Juin, 1672." By this time the influence of Cromwell, or whatever else it was which had made him a republican and puritan, had been effectually dispelled. The diary of Anthony Wood, under date of 26th November, 1677, says, "Charles Lord Herbert, eldest son of Henry, Marquis of Worcester, was matriculated as a member of Ch. Ch. *Ætat.* 16, natus Lond. I set this down here because the father and ancestors were all catholics; but because the mother is a presbyterian, a Capel, she, against the father's will as tis said, will have him bred up a protestant, so that by this change the catholics will lose the considerablest family in England, and the richest subject that the King hath." Anthony Wood was surely mistaken; but his supposing the Marquis of Worcester to be a catholic shews how completely his early career was forgotten, even when the religion of his wife was specially remarked upon. The diarist, however, was not singular in his impression. At that period a man's religion was too readily inferred from his politics; and the Marquis's conduct in relation to the Exclusion Bill laid him open to much suspicion. On the 4th of January, 1680-1, the House of Commons passed a resolution that all persons who advised his Majesty to insist on an opinion against the bill for excluding the Duke of York had given pernicious counsel to his Majesty, and were promoters of popery and enemies to the King and kingdom; and they resolved to present an address praying him to remove from his person and counsels five persons named, of whom the Marquis of Worcester was one (Tindal's *Rapin*, ii, 719, ed. 1733). The address was calculated to increase rather than diminish his favour at court.

ON the 2nd of December, 1682, he was raised to the dignity of Duke of Beaufort. The Dukedom of Somerset, the prize set before the ambition of his father, had slipped out of the grasp of the Somerset family. After the extinction of the Beauforts, it had been the subject of three successive creations, the last of which, in the family of Seymour (descendants of the St. Maurs whom we had occasion to mention in connexion with Gilbert Marshal's invasion of the Manor of Undy, and who were long settled at Undy and Penhow), resulted in forfeiture on the attainder of the Protector Somerset, in the reign of Edward VI. His grandson, William Seymour, Marquis of Hertford, had the strongest interest

interest in the cancellation of the Earl of Glamorgan's ducal patent ; and, this obstacle being removed, the attainder of the Protector Somerset was reversed, and the Dukedom of Somerset restored to the Seymour family. The Dukedom of Beaufort, however, now for the first time created, was a title almost equally suggestive of the connection of the Somersets with the legitimated descendants of John of Gaunt.

On the accession of James II., the Duke of Beaufort was continued in the office of Lord President of Wales, and made a progress to his seat of government, with unwonted magnificence, the particulars of which are printed, from a contemporary manuscript, in Clive's Documents connected with the history of Ludlow. He was also Lord Lieutenant of Gloucestershire, Monmouthshire, and Herefordshire, and of the county of the city of Bristol. In the last-named capacity he took up so firm an attitude during the Duke of Monmouth's rebellion, mustering twenty-one companies of foot, and declaring his determination to set fire to Bristol in case of any rising in the city, that Monmouth changed the direction of his march, and brought his enterprize to a disastrous termination on the plain of Sedgemoor. In the Revolution of 1688, the Duke of Beaufort took an active part on behalf of King James. He put himself at the head of his militia, and is mentioned as having intercepted Lord Lovelace, and taken him prisoner, near Cirencester, on his march towards Exeter to join the Prince of Orange. He also prepared to defend Bristol, but was compelled to surrender it to the Earl of Shrewsbury. "The power of Beaufort," says Macaulay (*Hist. of Eng.*, ch. v, vol. i, p. 588, ed. 1856), "bore some faint resemblance to that of the great barons of the fifteenth century. He was President of Wales and Lord Lieutenant of four English counties. His official tours through the extensive region in which he represented the majesty of the throne were scarcely inferior in pomp to royal progresses. His household at Badminton was regulated after the fashion of an earlier generation. The land to a great extent round his pleasure grounds was in his own hands, and the labourers who cultivated it formed part of his family. Nine tables were every day spread under his roof for two hundred persons. A crowd of gentlemen and pages were under the orders of his steward. A whole troop of cavalry obeyed the Master of the Horse. The fame of the kitchen, the cellar, the kennel, and the stables was spread over all England. The gentry many miles round were proud of the magnificence of their great neighbour, and were at the same time charmed by his affability and good nature. He was a zealous cavalier of the old school.

At

At this crisis, therefore, he used his whole influence and authority in support of the crown." His adherence to the cause of High Church and Divine Right, and the terms in which he is spoken of by the brilliant but inaccurate historian just quoted, are in strange contrast with the commencement of his political career; but we do not know enough of the influences to which he was from time to time subjected to enable us to form a fair estimate of his conduct. In the House of Lords, he was one of the minority who voted in favour of a regency instead of offering the crown to the Prince of Orange; and on the Revolution being accomplished, he declined to take the oath of allegiance to the new sovereign, and retired into private life.

WHAT more remains to be told of him will be found inscribed on a costly and elaborate monument, in the peculiar taste of the period of its erection, in the Beaufort Chapel, at Windsor, but which has recently been removed to Badminton, to admit the alterations necessary for the erection of a monument to the memory of Her Majesty's father, the Duke of Kent:—"Sub hoc marmore conquiescit, annorum et titulorum satur, Henricus Somerset, Dux de Beaufort, Marchio, et comes de Vigornia, Baro Herbert de Chepstow, Raglan, et Gower, e nobilissimo ordine periscelidis eques: excellenti animo ac virtute vir; qui singularis prudentiæ laudem cum insigni justitiæ gloriâ conjunxit; et illustrissimæ suæ familiæ non modo fortunas, a perduellibus everfas, in integrum restituit, sed et antiquos honores feliciter ampliavit. Neque tamen rei privatæ studio intentus defuit publicæ: erat enim idem, regnante Carolo et Jacobo II. concilii in principatu Wallensi præses; comituum civitatumque Gloucestriæ, Herefordiæ, Bristolii, Monumethiæ, necnon totius Walliæ præfectus; arcis Sancti de Briavel castellanus, et saltus de Deane custos principalis, civitatum insuper Gloucestriæ et Herefordiæ, municipiorumque Malmisburii, Teuxburii, et Andoveri feneschallus: quin et utrique Carolidum, quibus intemperatâ semper fide adhæsit, a camera et a consiliis sanctioribus. Conjugem unicam atque unice dilectam habuit, Mariam honoratissimi Arthuri domini Capel filiam natu maximam; ex quâ progeniem satis numerosam suscepit; V filios, Henricum dominum Herbert, hic juxta sepultum: Carolum, de Vigornia Marchionem; Henricum et Edwardum præmaturâ morte abreptos; Arthurum dominum Somerset; IV filias, Elizabetham, tenerâ ætate mortuam; Mariam, Osmondia ducissam; Henriettam, dominam de Obrien; Annam Coventriæ comitissam. Hoc marmor carissimo viro dominoque posuit superstes et mærens ducissa; cui, post annos xliii suaviter in conjugio actos, triste sui desiderium reliquit senex septuagenarius Jan. 21, A.D. MDCXCIX.

A RECORD



A RECORD of similar titles and events would have been the staple of our narrative, if we had determined to continue it to the present day. But it is time to bring our Annals to a close. It would serve no useful purpose to record "the ducal rank, the gartered knee," the dignities and offices which have been held by successive generations of a noble house, conferred (with all respect be it spoken) rather in homage to their high position and territorial influence than in recognition of any particular personal achievements. The promise of our title-page has been fulfilled. Our six centuries of the Lords of Striguil have been completed, during which we have seen its owners, in a succession of the heads of ten illustrious families (to say nothing of life owners and usurping or temporary possessors), taking a prominent part in almost every leading event of English history from the Conquest to the Revolution. We will draw a veil over the neglect and ruin of later ages, down to the comparatively recent period, when turned to ignobler uses, its grand old walls, once bright with shield and banner, reflected the blaze of the furnace,<sup>1</sup> and the din of industry was heard in the halls which once re-echoed with the clash of arms or the sounds of feudal revelry. That stage of worse than neglect has passed away, and the lime-kiln under the castle wall, which tells too truly the final history of the crumbling battlements, is veiled with festoons of ivy, which indicate that it has happily been long disused. For some years past, careful hands have guarded the honoured ruins, as far as may be, from the assaults of time. The contest has been an unequal one, and especially in the winter of 1872-3 a serious rent appeared in the south curtain wall; and in the course of repairing it a considerable portion gave way, and was scattered in ruin more hideous than had resulted from centuries of gradual decay, over the picturesque dingle which formed the castle ditch. This too has been repaired, and happily neither in extent nor in position is the injury such as to detract materially from the majestic appearance of the venerable ruin. We have traced the vicissitudes which from time to time have changed the course of descent, and which have so often united, but at length separated, the history of Striguil Castle from that of the hereditary Earl Marshalship, the Earldoms of Hereford and Pembroke, and the Earldom, and eventual Dukedom, of Norfolk; and the reader will not have failed to speculate on many an incident, the issue of which might have been to change the destinies of the subject of our memoir. The final result would have been much the same—a mark for alternate batteries of cavaliers and roundheads—a fortress dismantled, ruined, and neglected for ages—and at length cherished and

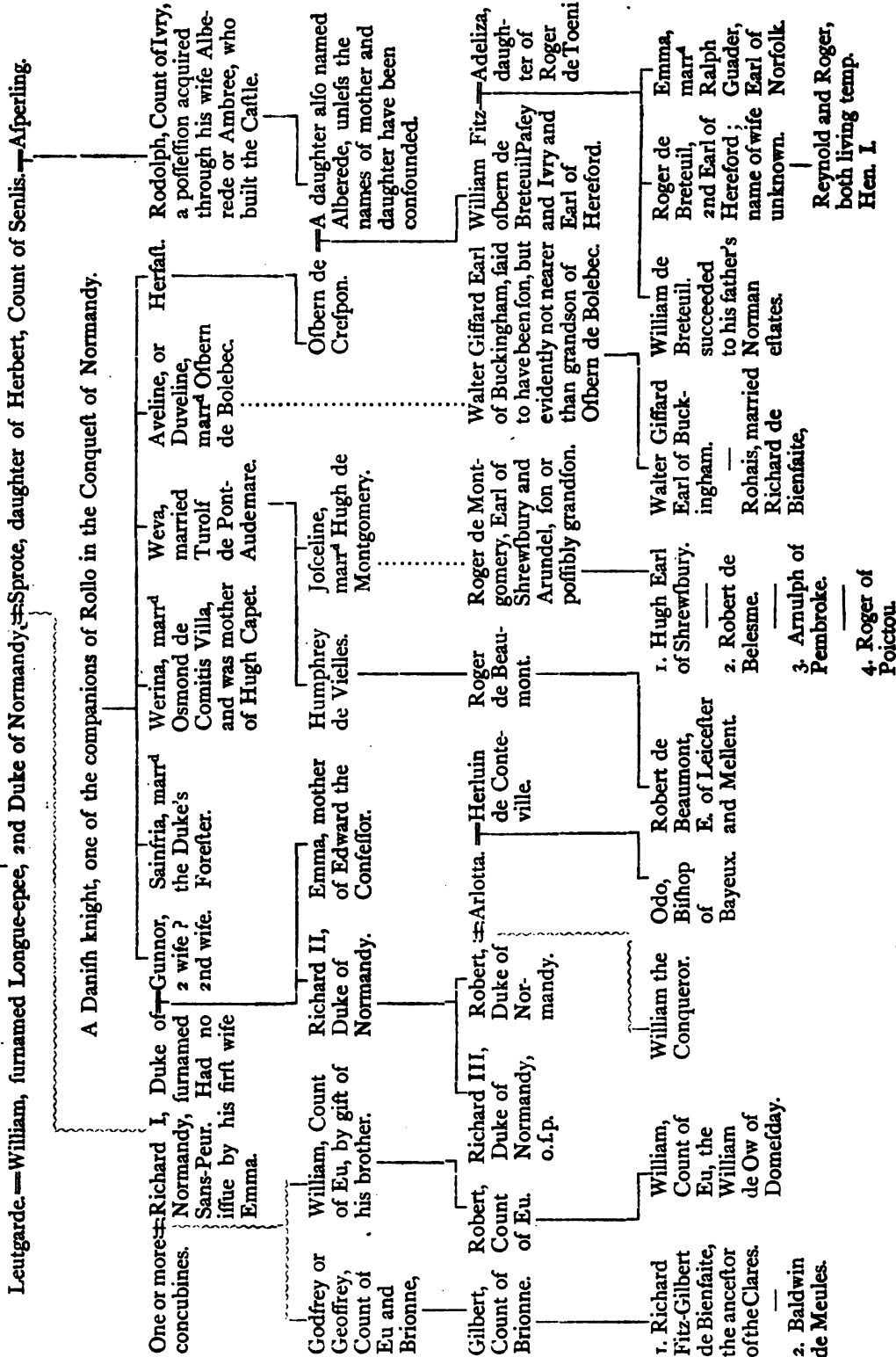
<sup>1</sup> Less than a century ago the Castle was used as a glass manufactory.

and valued as an architectural and historical monument of an early age, and an ornamental appendage to a ducal estate. For more than four hundred years from the date when its ownership became identical with that of Raglan Castle (which began to have a history when Chepstow had enjoyed four centuries of fame) it has passed, in uninterrupted descent to the ancestors of the Duke of Beaufort, who has known how to connect the rights of property with a graceful exercise of its duties, and deserves the gratitude of the public for the satisfactory arrangements under which the Castle is open to their inspection, and is, on all suitable occasions, made available for festive, charitable, and other public objects.

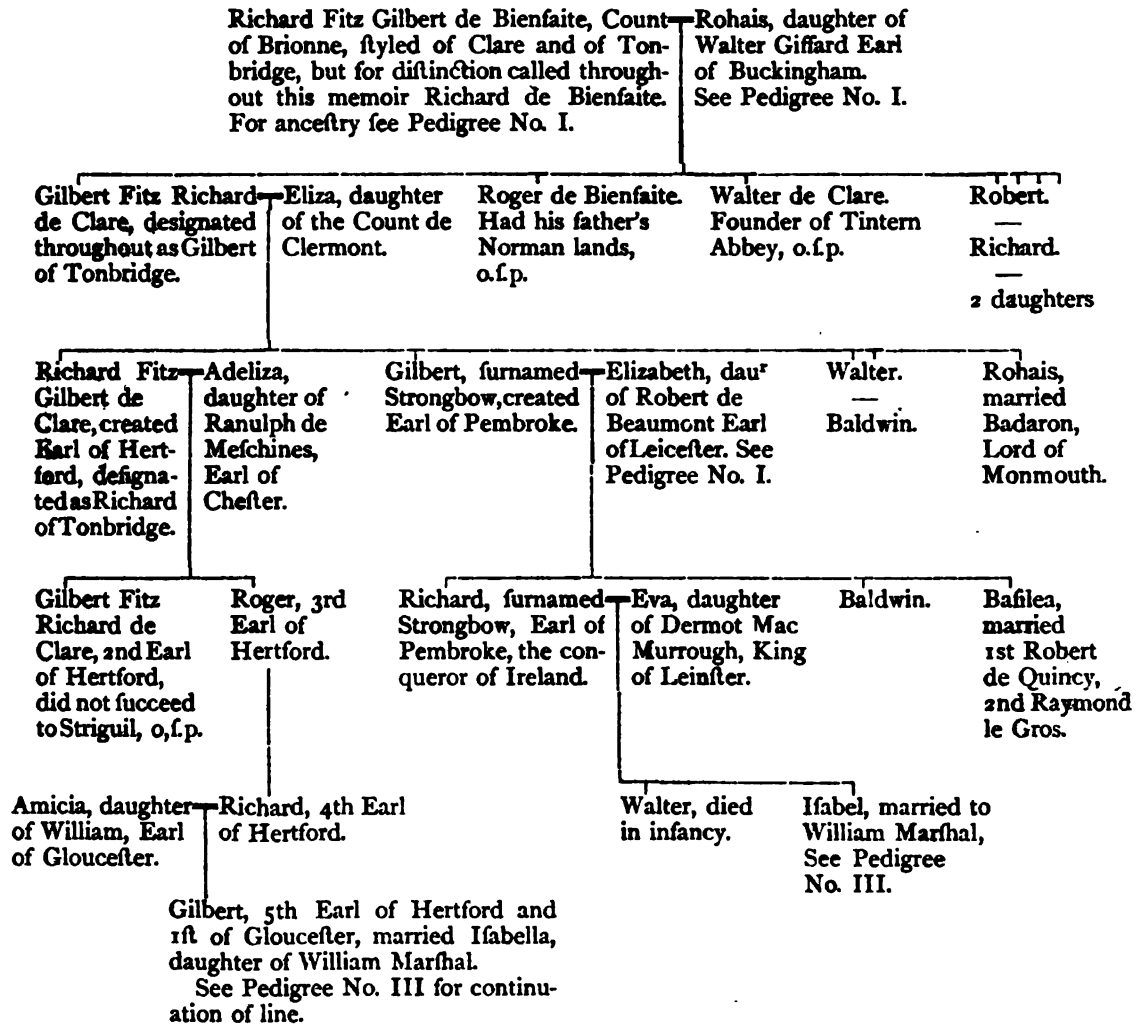
# I. PEDIGREE OF WILLIAM FITZOSBERN,

*Shewing his relationship to the Conqueror and to the other families referred to in the Memoir.*

Rollo, 1st Duke of Normandy.



## II. PEDIGREE OF THE CLARE FAMILY.



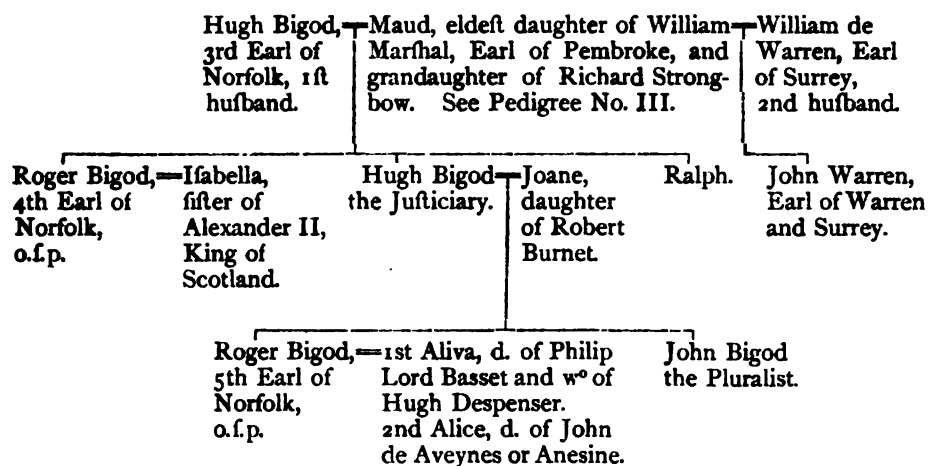
Gilbert, Marshal of the King's House, and Lord of Hempsted-Marshal, temp. Hen. I.

## John Marshall

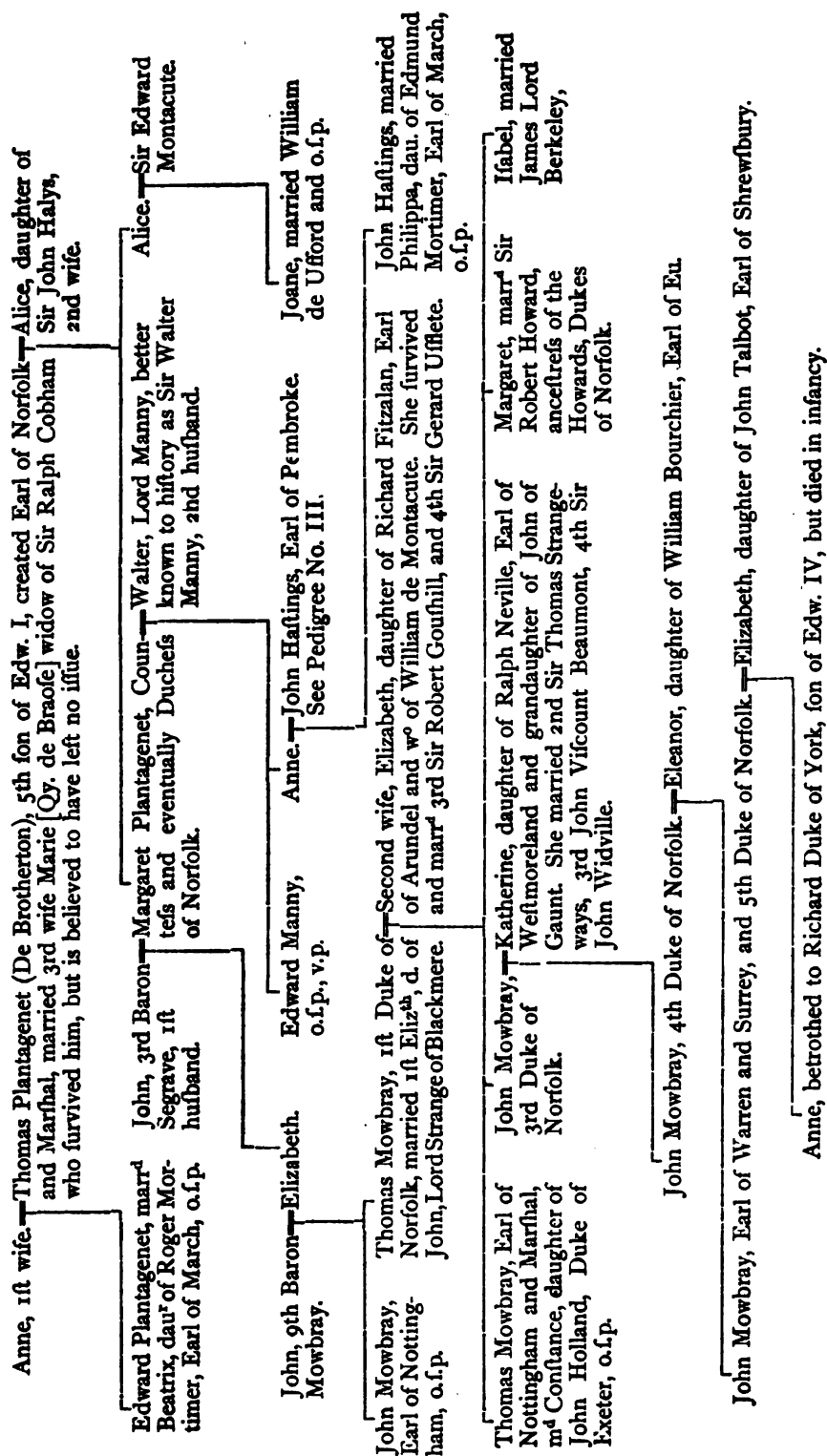
John Marthal, Isabel, daughter of Richard Strongbow—William Marthal, Earl of Pembroke and Earl of Pembroke. See Pedigree No. II. Protector during minority of Hen. III. o.f.p.

1. William Marthal, m. 1st Alicia, daughter of Baldwin de Bethune; 2nd, Eleanor, daughter of K. John.	Maud, marr <sup>d</sup> 1st Hugh Bigod 3rd Earl of Norfolk; 2nd, Will <sup>m</sup> de Warren Earl of Surrey. See Pedigree No. IV.	Joanna. — Warine de Muncheney.	1st husband, Gilbert de Clare, 5th Earl of Hertford & 1st of Gloucester.	Richard, 6th Earl of Hertford, & 2nd Maud, d. of John de Lacy.	Richard, 7th Earl of Hertford and 3rd of Gloucester, marr <sup>d</sup> Joane of Acre, d. of Edw. I.	4 sons and 1 daughter.	1. Gilbert, o.f.p. 2. Alienore, marr <sup>d</sup> Hugh Despenser. 3. Margaret, marr <sup>d</sup> Piers Gaveston. 4. Elizabeth, marr <sup>d</sup> John de Burgh.
2. Richard Marthal, m. Gervasia ...	William de Muncheney, o.f.p.	William de Valencia, created Earl of Pembroke.	Isabel.	John, Baron Hastings.	John Hastings.	Lawrence Hastings, Earl of Pembroke.	John Hastings, marr <sup>d</sup> Ann Manny. See Pedigree, No. V.
3. Gilbert Marthal, m. 1st Maud de Lanvalley; 2nd, Margaret, sister of Alexander King of Scotland.	Amyer de Valencia, 2nd Earl of Pembroke, of new creation, o.f.p.	John, Baron Hastings.	Isabel.	John Hastings.	John Hastings.	John Hastings, marr <sup>d</sup> Ann Manny. See Pedigree, No. V.	John Hastings, marr <sup>d</sup> Ann Manny. See Pedigree, No. V.
4. Walter Marthal, m. Margaret, daughter of Robert de Quincy and w <sup>o</sup> of John Lacy.							
5. Anselm Marthal, m. Maud, daughter of Humphrey Bohun, Earl of Hereford.							
All successively Earls of Pembroke and Marthals of England, and o.f.p.							

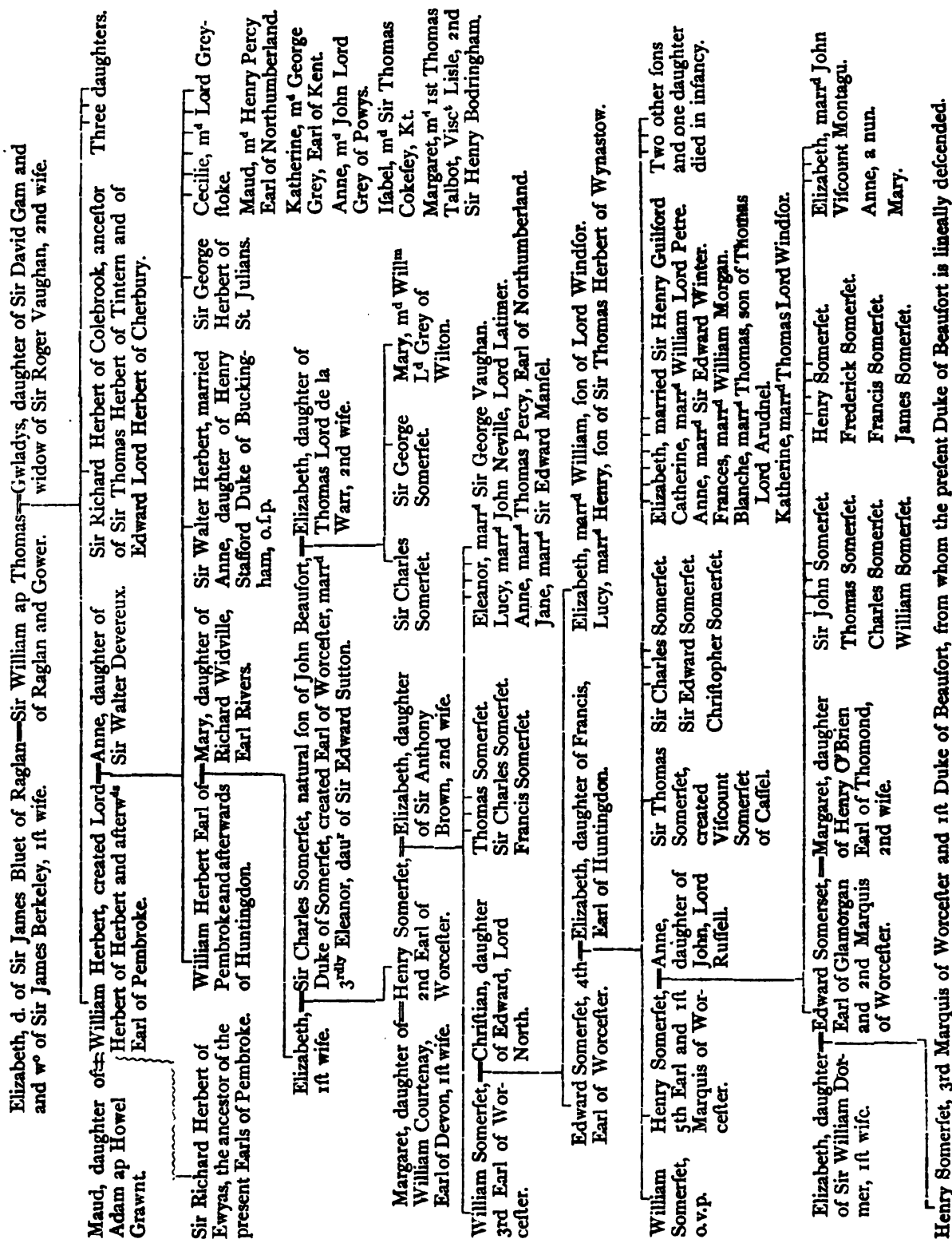
## IV. PEDIGREE OF THE BIGOD FAMILY.



V. PEDIGREE OF THE FAMILIES OF PLANTAGENET (DE BROTHERTON),  
MANNY, HASTINGS AND MOWBRAY.



## VI. PEDIGREE OF THE FAMILIES OF HERBERT AND SOMERSET.





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